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REPORT
OF THE
POOR LAW COMMISSIONERS
TO
THE MOST NOBLE THE MARQUIS OF NORMANBY,
HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE HOME DEPARTMENT,
ON THE
CONTINUANCE OF THE
POOR LAW COMMISSION,
AND
ON SOME FURTHER AMENDMENTS OF THE LAWS
RELATING TO THE
RELIEF OF THE POOR.
WITH APPENDICES.



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TABLE OF CONTENTS.

REPORT.

	Page
Introductory Remarks :—	
Occasion of Report	1
Subjects of Report	2
Preliminary remarks respecting the origin and character of the Poor Laws	
Passing of the Poor Law Amendment Act, and subsequent Acts	3
Expediency of consolidating the Statutes relating to the relief of the Poor	3
I.—The continuance of the Powers of the Poor Law Commissioners :—	
Period of expiration of the Commission	4
Reasons for its continuance, contained in the recommendation of the Committee of the House of Commons	”
Additional reasons for the continuance of the Commission :—	
Temporary purposes of the Commission not yet fulfilled	6
The Commission was intended for permanent, not temporary purposes	8
Nature and importance of its business	”
business originated by the Commission	”
business arising from applications made to it	9
Probability and extent of recurrence of abuses on the expiration of the Commission	”
The continuance of the Commission necessitated by the Irish Poor Relief Act	11
Reasons against the continuance of the Commission for Ireland alone	12
unity of management, and the benefits of experience en- sured in both countries	”
system of relief in both countries substantially identical check to the recurrence of abuses in both	”
Objections commonly urged against the existence of the Commission stated and examined:	
Objection to centralization of the Commission considered	13
not unconstitutional	”
examples of analogous authorities	14
Exaggerated opinion entertained of its centralization	”
powers of the local authorities	15
Powers of the Commissioners not likely to be abused ; checks	16
Contrary objection, that the Commissioners are responsible for every casualty, its inconsistency	18
Alleged arbitrariness of the power of the Commissioners, the reverse of the truth	”
Objection to the power of subordinate legislation delegated to the Commissioners	19
not unconstitutional	”
examples of authorities possessing analogous powers	”
Misconception of the extent of this power	22
its limitation by statutes	”
Responsibility of the Commissioners for its exercise, and promul- gation	”
Remedies against illegal orders of the Commissioners	23

	Page
Reasons for not occupying the time of Parliament with minute local regulations	23
advantages of the intervention of such an authority between the Legislature and the people	24
Objection to the Poor Law Amendment Act, on the ground of its alleged repugnancy to religion	25
Objection to the Commission on the ground of expense	25
Statement of its annual expense, and mode of paying it	25
causes of factitious increase of expense	25
Comparative statement of poor-rate expenditure during five years before and after the establishment of the Commission saving in litigation alone more than three times the cost of the Commission	26
Expense not a sufficient reason for abolishing the Commission	27
Obstacles to the general enforcement of the Poor Law Amendment Act	27
Numerous interests disturbed	27
Unpopular appearance of the Poor Law Amendment Act compared with the system which it supplanted	28
Demand for newspaper and other attacks, from the causes enumerated	29
small number of cases of hardship or neglect traceable to the existing system, and measures taken to prevent them	29
misstatements prevalent of the provisions concerning bastardy	30
Appeal made to the country by the means described	31
the appeal unsuccessful, and the attacks not an index to general opinion, as proved by the mode in which the Act is locally carried into operation	31
Additional securities suggested by the subjection of the Commissioners' power to further control	32
General Rules, meaning of the term, and practice in respect to them, explained	32
Regulations of the Commissioners necessarily issued in general as particular orders	33
Course adopted for the promulgation of orders, and further arrangements suggested for that purpose	36
Proposal made to extend to the Commissioners' usual particular orders, the provisions respecting superintendence and promulgation now applicable only to General Rules	37
Necessity of shortening the interval before orders come into operation	37
Suggestion of Committee, of publication of a list of officers dismissed, why inexpedient	38

II.—The Constitution and Election of Boards of Guardians :—

Important change in the local administrative authorities, made by the introduction of Boards of Guardians	39
Very few instances of inconvenience from the Commissioners' regulations as to the proceedings of Guardians	39
Admission of the public to the meetings of Guardians, inexpedient	39
Suggestion that overseers be made ineligible to the office of Guardian	39
Reasons for this recommendation	39
incompatibility of the two offices, the one controlling the other, in the same person	40
liability of abuse in the elections of Guardians under the direction of overseers	40
Possible inconvenience from inability of small places to provide both overseers and guardians, how obviated	41
Mode of Election of Guardians	41
Suggestions thereon, and reasons for them :—	
Qualification for voting by payment of rates: suggested that it be held to mean poor-rates alone	42
Voting by proxy, limitations recommended	42

	Page
Division of parishes into election wards, its expediency	42
Also	
the combination of small parishes for the election of one Guardian; and the power of altering the proportion of Guardians to different parishes	43
Power to receive the resignation of elected Guardians	,,
Power to order a new election of particular Guardians, in case of vacancy or irregularity	,,
Mode of settling disputes as to the titles of persons to act as Guardians	44
Acts of the Board of Guardians should not be vitiated by irregu- larity in the election of particular Guardians	,,
Modification of arrangements of existing Unions,—recommendation of Committee	,,
Dissolution of incorporations under Gilbert's Act recommended	45

III.—Administration of Relief in Workhouses, and the Regula-
tions for the Government thereof:—

General principle of relief, that the condition of the pauper should be less eligible than that of the independent labourer	45
Out-door relief inconsistent with this principle	,,
Consequent necessity of a public establishment for the reception and relief of the pauper	46
yet in many respects comforts afforded therein superior to those available to the independent labourer	,,
consequent necessity of proper regulations for the management and discipline of such establishments	,,
Impracticability of applying this principle by other means than the Workhouse	,,
generally understood in the Unions, as regards the able-bodied dangerous tendency of relaxation of the principle, even as applied to other classes of paupers, described	47
Nature of the Workhouse regulations explained	48
Those necessary for maintaining good order in any building in which numbers of persons of different sexes and ages reside	,,
Those necessary [for maintaining the establishments as Workhouses, not almshouses	,,
Regulations requiring those in the Workhouse who are able, to labour	49
Regulations as to diet	,,
views of the Boards of Guardians generally complied with nature and sufficiency of the diet shown	50
Regulations restricting egress from the Workhouse	,,
nature of those affecting the several classes described	,,
admission of strangers to visit persons in the Workhouse	51
Regulations for classification, causing the separation of members of the same family	,,
such separation unavoidable, except by the impracticable arrangement of providing separate apartments for each family	,,
if separate apartments were provided, the establishment would be not a workhouse, but an almshouse	,,
misapplication of scriptural authority on this subject dis- played	52
departure from the regulations, nevertheless, allowed by the Commissioners in the case of aged married couples	,,
Practical results of the Workhouse regulations detailed	53
the restrictions, for the most part, confined to the able-bodied	,,
Religious assistance and instruction of inmates of Workhouses	,,
Provisions of the law on the subject	54
Practical application thereof	,,
Appointment of chaplains to Workhouses	,,
Enactment recommended for the removal of doubts thereon	55

	Page
Burial of paupers, practice in respect to; and recommendation for the amendment of the law	55
Payment of fees to clergymen on the burial of paupers; recommendation of an enactment to remove existing difficulties	,,
Instruction and training of children in Workhouses	,,
Numbers of pauper children	56
Considerations as to the mode of providing adequate instruction	,,
Expediency of combining Unions for the education in common of pauper children belonging to such Unions; recommendation of Committee thereon	57
opinions of Boards of Guardians in support of such a plan	58
successful partial experiment of such a plan at Norwood	59
Indefiniteness of the Guardians' powers as to the custody of children in Workhouses, recommendation thereon	60
Combination of Unions for the care of lunatics and idiots, blind, and other classes of paupers	,,
 IV.—Out-door relief, principles of its administration :—	
Classes of persons to whom out-door relief is given	61
Aged and infirm, unable to work; discretion of Guardians in regard to them, unlimited	,,
Able-bodied; orders issued prohibiting out relief to able-bodied male paupers	62
modes of attempting to evade the orders and revive abuses, by means of subscriptions, highway rates, private rates, &c.	,,
Mischievous consequences of the practice of giving out-door relief to able-bodied labourers with large families	63
Difficulty of ascertaining a labourer's actual earnings, and his resources collateral to his weekly wages	,,
the Workhouse the only mode of ascertaining whether they are sufficient	64
Difficulty of ascertaining his possible earnings, greater	,,
Relief in aid of wages diminishes the labourer's industry and deteriorates his character.	,,
It also diminishes the advantages which he derives from his employer	65
The evil of such relief not confined to the labourers with large families; it depresses wages generally, and demoralizes the whole of the labouring classes	,,
Groundless causes of the disposition to give out-relief in such cases, in spite of the objections to it	66
supposed expense of maintaining the whole family in the Workhouse	67
erroneous impression of their condition in the Workhouse	,,
General remarks on out-door relief to the able-bodied	,,
Prevalent errors on the subject.	68
Allowances to the able-bodied not only do not improve their condition, but deteriorate it	,,
Facility with which out-relief can be substituted for wages: instance	,,
Fallacy of supposing that the allowance system is necessitated by the Corn Laws	69
Exceptions to the general operation of the Commissioners' order prohibiting out-relief to the able-bodied	70
Instructions of the Duke of Wellington for the relief of the poor during a famine in part of India—1804 <i>note</i>	71
Partially disabled paupers; inexpediency of giving partial relief in these cases shown	,,
Non-resident paupers; difficulties attending relief to them, and expediency of discontinuing the practice	72
Medical Relief:—	
Varied nature of the arrangements under the old system for providing medical relief	73

	Page
Measures taken for establishing the most desirable system of medical relief	74
Objects of such relief	,,
Extent of Medical Relief Districts	75
principle upon which it should be determined	,,
inexpediency of each parish in Union having its own medical officer	,,
Depôts of medicine chests—objections to their establishment	76
Mode of appointing Medical Officers	,,
Tenders of terms by medical men, upon advertisement by Guardians; reasons for and against this mode of selection	,,
reasons against the system of tender, on the whole prevail	77
Mode recommended, to fix terms and advertise for officers	,,
appointment of medical men as officers, preferable to the system of annual contracts	,,
Qualification of Medical Officers	78
Inexpediency of limiting generally the definition of the Poor Law Amendment Act	,,
Remuneration of Medical Officers, existing modes of	,,
By salary,—objections to	,,
Per case,—objections to	79
Combination of salary and per case remuneration; a modification of this system proposed, and reasons for its adoption	,,
scale of remuneration	80
Medical Practitioner engaged exclusively for Union, and resident in the Workhouse	,,

V.—Auditing of Poor Law Accounts :—

Recommendation of the Committee that District Auditors should be appointed by the Commissioners	81
Defects of the existing mode of appointing auditors	,,
anomalous position and authority of auditors	,,
Essential qualifications of an efficient auditor	82
variable, uncertain, and inefficient nature of audits, under the existing mode of appointing auditors	,,
Combination of Unions for the appointment of District Auditors, at present existing in some counties	83
Its results highly satisfactory	,,

VI.—The Powers of the Guardians to obtain Funds from the Parish Officers :—

Difficulties in reference to the making and collection of rates by the Overseers	84
inconveniences and injustice pointed out	,,
Remedy of the Guardians against the parish officers by distress	,,
Appointment of Collectors by Guardians under the orders of the Commissioners	85
causes which led to the appointment of such officers	,,
The legality of the Commissioners' orders, decided against by the Queen's Bench	,,
Course taken after such decision	,,
Communications received from Unions, giving evidence of the advantages derived from the appointment of Collectors, and the inconvenience that would arise from their removal	86
Act passed, legalizing the orders previously issued by the Commissioners for the appointment of Collectors	96
Recommendation that the enactment be extended to empower the Commissioners to direct the Guardians in every case to appoint Collectors	97

	Page
VII.—Disposal of Parish property :—	
Descriptions of such property	97
Difficulties experienced in some cases	98
Measures which have been taken in regard to the sale and disposal of parochial property	,,
Appropriation of the proceeds of sales	99
Further amendments of the Law suggested	,,
VIII.—Payment of certain miscellaneous expenses out of the Poor-Rates	100
Recommendation that authority should be given to defray out of the poor-rate, expenses of the apprehension and prosecution of offenders for	
deserting their families,	
misbehaviour in workhouses,	
violence or obstruction to Parish or Union Officers,	
offences against property for the relief of the poor,	
offences of parish officers in their offices	101
Mischievous effects of the absence of effectual provisions for the prosecution of men deserting their wives and families	,,
Mode of charging the cost of the relief of casual poor	102
Inconveniences of present mode	,,
obstruction to the establishment of an efficient system as regards mendicants and vagrants	,,
production of contests and litigation between parishes	,,
hardship to applicants from the difficulty of obtaining relief	103
Recommendation that legislative provision be made for the removal of inconveniences	,,
Conclusion :—	
The Amendments recommended in the subordinate provisions of the Poor Law Amendment Act, confirmatory of its main purposes	,,

APPENDIX.

APPENDIX (A.)—DOCUMENTS ISSUED BY THE BOARD.

No. 1.—(A.) Amended form of Order prohibiting out-door Relief to the Able-bodied	105
(B.) Instructional Letter issued with the foregoing Order	106
(C.) Further Instructional Letter issued with the foregoing Order	110
2.—Circular relative to the Appointment of Officers to collect the Poor-Rates	110
3.—Opinion of Dr. Addams upon certain Questions relative to the Performance of Divine Worship in Workhouses	112

APPENDIX (B.)—REPORTS OF ASSISTANT COMMISSIONERS AND OTHER COMMUNICATIONS RECEIVED BY THE BOARD.

No. 1.—Report on the Education of Pauper Children; by E. C. Tuffnell, Esq., Assistant Commissioner.	114
2.—Report from E. C. Tuffnell, Esq., suggesting certain Alterations of the Law	127
3.—Report from Sir John Walsham, Bart., Assistant Commissioner, relative to the Combination of Townships for the Election of Guardians in common	136
4.—Extract from a Report of Sir Edmund Head, Bart., Assistant Commissioner, suggesting certain Amendments of the Law	141

	Page
5.—Report from Edward T. B. Twisleton, Esq., Assistant Commissioner for Norfolk and Suffolk; (with letters appended)	143
6.—Medical Relief:—Reports of the Arrangements for affording Medical Relief:—	
Circular to Assistant Commissioners, calling for Reports.	156
Reports of Assistant Commissioners:	
I. D. G. Adey, Esq.—Counties of Somerset, Gloucester, Wilts, Dorset	158
II. Colonel A'Court.—Southampton, Dorset, Wilts	162
III. Alfred Power, Esq.—Lancashire and West Riding of York	164
IV. W. J. Gilbert, Esq.—Devon and Cornwall	168
V. Richard Hall, Esq.—Lincoln, Notts, &c.	174
VI. Robert Weale, Esq.—Beds, Bucks, Herts, Northampton, Warwick.	175
VII. Edward C. Tuffnell, Esq.—Kent, Sussex	189
VIII. Sir John Walsham, Bart.—Northumberland, Cumberland, Durham, &c.	198
IX. Wm. Day, Esq.—Shropshire, North Wales	214
X. Sir Edmund Head, Bart.—Hereford, Monmouth, Gloucester	224
XI. George Clive, Esq.—Norfolk, Suffolk	238
XII. John Revans, Esq.—North and East Ridings of Yorkshire	247
XIII. Colonel Wade.—Cambridge, Essex, &c.	247
XIV. Edward Senior, Esq.—South Wales	275
Report and Plans from the British Medical Association for an amended System of Medical Relief to the Poor	276
7.—Conduct of Dissolute Women in the Workhouse:—Report, &c., from Dr. Kay, Assistant Commissioner, relative to the Parish of St. George in the East; and Report on the Stepney Union	287
8.—Classification of Female Inmates of the Workhouse:—Correspondence with the Board of Guardians of the Bourn Union	293
9.—Right of diseased Paupers to leave the Workhouse and return:—Correspondence with the Board of Guardians of the Richmond Union (Surrey)	293
10.—Refusal of Permission to Orphans and Deserted Children to leave the Workhouse under certain Circumstances:—Correspondence with the Board of Guardians of the Beverley Union	295
11.—Lunatic and Idiot Paupers:—Correspondence with the Board of Guardians of the Unions of Boston and Bedford	296
12.—Relief to Mendicants:—Correspondence with the Board of Guardians of the Winslow Union	297
13.—The Union of Parishes for purposes of Rating and Settlement:—Letter from the Clerk of the Ely Union	298
14.—Expense of Prosecuting for the Desertion of Wives and Families by Husbands and Fathers:—Letter from the Board of Guardians of the Tewkesbury Union	300
15.—Payment of Costs of Prosecutions out of the Rates:—Letter from C. Lane, Esq., to R. D. Neave, Esq., Assistant Commissioner.	300
16.—Letter from H. Leach, Esq., J. P., Chairman of the Haverfordwest Union, relative to the operation of the Poor Law Amendment Act, and the renewal of the Commission	301

APPENDIX (C.)

No. 1.—A Statement of the Number and Description of Orders issued by the Poor Law Commissioners during the year ended 30th April, 1839	304
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REPORT

ON THE

CONTINUANCE OF THE POOR LAW COMMISSION, AND ON
SOME FURTHER AMENDMENTS OF THE LAWS
RELATING TO THE RELIEF OF THE POOR.

TO THE MOST NOBLE THE MARQUIS OF NORMANBY, HER
MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE HOME
DEPARTMENT.

MY LORD,

31st December, 1839.

LORD JOHN RUSSELL, near the beginning of the present year, was pleased to communicate to us the intention of Her Majesty's Government to introduce into Parliament, during last Session, a Bill for continuing the Poor Law Commission, which, according to the provisions of the Poor Law Amendment Act, would cease to exist at the end of the first Session of Parliament held after the 14th of August, 1839. His Lordship at the same time directed our attention to the Report of a Select Committee of the House of Commons on the Poor Law Amendment Act, which was presented in the preceding Session of Parliament; and his Lordship expressed a wish that we should, in a Report to his Lordship, explain our practice and opinions respecting those matters to which the attention of the Committee of the House of Commons, and of the public generally, had been most directed; and that we should, in the same Report, state the principal amendments of which the laws for the relief of the poor seemed to us susceptible.

Her Majesty's Government subsequently decided to introduce into Parliament a Bill for continuing the Poor Law Commission for a single year; and this Bill received the royal assent at the end of last Session. Your Lordship has recently informed us that it is the intention of Her Majesty's Government to introduce into Parliament, during the ensuing Session, a Bill for the further continuance of the Poor Law Commission, and for making some further amendments in the laws relating to the relief of the poor; and we, therefore, proceed, in the present Report, to submit to your Lordship such an account of the working of the Poor Law Amendment Act, and of the principles which seem to us best fitted for giving effect to its provisions, as will, in our opinion, enable Her Majesty's Government to judge of the expediency of continuing the Poor Law Commission, and of the further amend-

ments of the laws relating to the relief of the poor, with which that continuance ought to be accompanied. For this purpose we will successively advert to the following topics, which (with the exception of rating, settlement, and bastardy) comprehend the principal branches of the laws relating to the relief of the poor, and the machinery by which they are administered:—

I. The continuance of the powers of the Poor Law Commissioners and their Assistant Commissioners, as constituted by the Poor Law Amendment Act, and extended by the Irish Poor Relief Act.

II. The constitution and election of the Boards of Guardians, and the modification of existing Unions.

III. The administration of relief in workhouses, and the regulations for the government of paupers therein.

IV. The administration of out-door relief (including medical relief), the conditions on which, and the classes of persons to whom, it is to be given.

V. The auditing of Poor Law accounts.

VI. The means possessed by the Guardians for obtaining funds from the parish officers.

VII. The selling of parish property.

VIII. Miscellaneous, including payments for objects of public utility out of the poor-rate, allowance of charges for prosecutions, &c.

Before we proceed to consider the subjects which we have just enumerated, we will premise the following brief explanatory remarks:—

The laws relating to the relief of the poor, and administered by the Poor Law Commissioners, are contained in a series of statutes, which may be considered as commencing with the 43d of Elizabeth. These statutes have given rise to a great variety of decisions of the superior courts of common law, by which their meaning has been determined; but no part of the Poor Laws exists in the form of customary or common law.

The most important statute for our present purpose is the 4th and 5th Will. IV. c. 76, commonly called the Poor Law Amendment Act, which created the Commission under which we act, and gave powers for the establishment of Boards of Guardians, and other subordinate machinery, by which the relief of the poor is now regulated and dispensed. This Act received the royal assent on the 14th of August, 1834. Some of its provisions have been subsequently enlarged and amended, by an Act passed in 1835, intituled, “An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in England and Wales.”—(5th and 6th Will. IV. c. 69.)

An important Act, by which the rating of all hereditaments was regulated, and which gave to the Poor Law Commissioners

the superintendence of a new survey and valuation of a large part of the real property of the country, was also passed in 1836.— (6th and 7th Will. IV. c. 96.)

The experience of the five years which have elapsed since the passing of the Poor Law Amendment Act, has necessarily thrown much light on the tendency of its provisions. The utmost sagacity could not foresee all the practical consequences of so extensive a measure of legislation; still less was it possible to anticipate the solution of the legal questions which would be submitted to the courts respecting the operation of its various enactments upon the numerous earlier statutes and Local Acts relating to the relief of the poor. Having been charged with the duty of superintending the execution of the law, we think that we shall best comply with Lord John Russell's instructions by laying before your Lordship the results of this experience at the time when Her Majesty's Government are about to submit to Parliament a Bill for continuing the administrative machinery created by the statute in question.

For an account of the progress which we have made in extending the provisions of the Poor Law Amendment Act over England and Wales, and of the measures by which it has been thus extended, we refer your Lordship to our Annual Reports. We propose, in the present Report, to consider only those general questions respecting the provisions of the Acts relating to the relief of the poor, which have reference to future measures of legislation or administration.

We had, indeed, wished to be able to submit to your Lordship a digest of the various Acts relating to the relief of the poor, similar to the digests of the Revenue Laws, and of several branches of the Criminal Law, which have been prepared by the Government and approved of by Parliament. It appears to us that a consolidation of the various Acts relating to the relief of the poor would be a work of eminent utility; inasmuch as the numerous authorities,—Boards of Guardians, Overseers, Auditors, and Justices of the Peace,—who now administer these Acts, can scarcely be expected to possess sufficient leisure to become acquainted with their numerous provisions, and with the multitude of judicial decisions by which they have been interpreted and applied. We have, however, thought that the time is not yet arrived when such a consolidation could be attempted with the best prospect of success; though we shall be ready to undertake it whenever a fit season shall present itself.

I. Having premised these explanatory remarks, we will advert to the continuance of the powers of the Poor Law Commissioners and their Assistant Commissioners, as created by the Poor Law Amendment Act, and extended by the Irish Poor Relief Act.

The Poor Law Amendment Act, which received the royal assent

on the 14th of August, 1834, enacts that “no Commissioner to be appointed by His Majesty, nor any Assistant Commissioner, secretary, or other officer or person to be appointed by the said Commissioners, under and by virtue of the provisions of this Act, shall continue to hold his respective office or exercise any of the powers given by this Act for a longer period than five years next after the day of the passing of this Act, and thenceforth until the end of the then next Session of Parliament, and from and after the expiration of the said period of five years, and of the then next Session of Parliament, so much of this Act as enables His Majesty to appoint any Commissioner or Commissioners shall cease to operate or have any effect whatever” (sec. 10). By the 2 & 3 Vic., c. 83, the powers of the Poor Law Commissioners are continued till the 14th of August, 1840, and thenceforth until the end of the then next Session of Parliament. The Irish Poor Relief Act (1 & 2 Vic., c. 56), the administration of which is entrusted to the Poor Law Commissioners, contains no provision for continuing the powers of the Commissioners, either for England and Wales, or for Ireland, beyond the same term.

The Select Committee of the House of Commons, which sat from March to July, 1836, and from November, 1837, to August, 1838, and examined a large number of witnesses on the administration of the Poor Law Amendment Act, report in the following terms respecting the continuance of the powers of the Commissioners. Speaking of the complaints contained in the petitions against the Poor Law Amendment Act, the Committee state :—

“With respect to the powers of the Poor Law Commissioners, it is said that they are unconstitutional, and that they have deprived the rate-payers of all control over their own funds and the management of their own affairs. In some few instances, as in the petition from Nottingham, those powers are more specifically complained of, as enforcing a particular dietary and classification of the inmates of the workhouse; an objection has also been made by one witness, Mr. Bull, to the particular provisions contained in the 98th clause of the Poor Law Amendment Act. Your Committee have not felt it to be their duty to enter so much into any general examination of the principles of the law in question, as of the manner in which its administration has been conducted. The reasons for granting these powers to the Poor Law Commissioners are fully explained in the Report of the Commissioners of Inquiry in 1834. It is there stated, that any instances of good management under the former state of the law have been partial and accidental; that they have depended upon the exertions of some individual of superior energy and intelligence; that the improved practice had not been adopted in the immediate neighbourhood of the parishes where its success had been most conspicuous, and that even in those parishes there was no security for its permanence. The great irregularity which so often prevailed in the administration of relief to the poor in parishes immediately contiguous, and under circumstances exactly similar, was felt to be both inconvenient and unjust, and it

was hoped that this might be corrected by the superintendence of a Central Board. In some parishes it was said that the overseers required protection against intimidation; in others the poor suffered from the partial distribution of relief; and for these evils a remedy was proposed in the authority of the Commissioners, and in the influence of general rules. It was felt, too, that any system which might be good for an ordinary state of circumstances would be unsuited to extraordinary emergencies, and that the Central Board, in constant communication with its Assistant Commissioners and the various Boards of Guardians, would be the best judge of the time and degree in which any modifications suited to those emergencies might be introduced. Your Committee entirely agree with the Commissioners of Inquiry (page 261 of their Report), that 'those modes of administering relief which had been tried wholly or partially, and have produced beneficial effects in some districts, should be introduced, with modifications according to local circumstances, and carried into complete execution in all;' and if, indeed, such an approach to uniformity in the administration of relief to the poor as the circumstances of different parts of the country will admit of be thought desirable, and if the control of any central authority, invested with discretionary power, be objected to, it would seem necessary to have recourse to an Act of the Legislature, in which almost every variety of cases where relief should be either given or withheld, must be prescribed in detail. Such an attempt, if not impracticable, could only be enforced at the expense of the greatest hardship and injustice. Your Committee do not feel it necessary to make any further observations in defence of these provisions of the law; but they earnestly recommend the reasoning contained in the Report of the Commissioners of Inquiry to those who may be disposed to doubt the necessity of conferring those powers on some central authority. Your Committee believe the powers of the Central Board to be indispensable to the execution of the law; and that without some control of this kind, there could be no security against a recurrence to almost every variety of mismanagement or abuse; neither have they seen anything in the manner in which the powers have been exercised to lessen the force of those reasons which originally recommended their adoption by the Legislature. When the extent of the change, the number of individuals, and the variety of interests affected by it, are considered, it is impossible not to feel that the task imposed on the Poor Law Commissioners was one of the utmost difficulty. The arrangements made by them appear generally to have been skilful and judicious, and well adapted to the local peculiarities by which they have been modified; and your Committee feel much gratification in stating, that in no instance which has been brought under their notice, do these powers appear to have been abused.*

* * * * *

"Your Committee cannot quit this portion of their inquiry without expressing a favourable opinion of the clear form in which many of the regulations and public documents are issued by the Commissioners, as well of the practice hitherto pursued by them of stating fully

* The passage here omitted is adverted to in a subsequent part of our Report.

in their letters of instruction and answers to inquiries the facts and reasonings on which their rules or recommendations are founded. On this part of the subject your Committee have agreed to the following Resolution.

“That in the important duties committed to them, the Commissioners have evinced zeal, ability, and great discrimination; and the Committee recommend the continuance of their power, in preference to any system which, by leaving the administration of the Poor Laws without the control and superintendence of a Central Board, might cause the recurrence of those abuses which existed in many counties previously to the passing of the Poor Law Amendment Act.”—
p. 26, 27.

We are conscious of the delicacy of the task which a compliance with the instructions of Her Majesty's Government imposes upon us, and of the suspicions with which a statement of reasons in favour of the continuance of the Poor Law Commission, made by the Commissioners themselves, is likely to be received. Nevertheless, as our position has necessarily given us the widest and most exact knowledge of the operation of the new law, and of the means by which it has been carried into execution, we think that we should be wanting to our duty if we were deterred by a fear of the imputation of interested motives from laying before your Lordship those reasons in favour of the continuance of the Poor Law Commission which have not been adverted to by the Committee of the House of Commons. We feel the less hesitation about taking this course, as we shall confine ourselves to the statement of facts, and to the suggestion of obvious inferences from them.

To the reasons stated in the passage from the Report of the Committee, which we have just quoted, the following considerations may, as it appears to us, be added.

1. Even upon the most limited view of the purposes of the Poor Law Commission, its functions have not yet been discharged. The change in the administration of the English Poor Law which it was intended to introduce, has not yet been completed. The machinery by which that change was to be effected is not yet in operation over the whole country. There still remain 799 parishes in England and Wales which have not been brought under the operation of the Poor Law Amendment Act, containing a population of 2,055,733 souls.* Of these, some are

	No. of Parishes united.	Population in 1831.
* Total number of Unions and single parishes under Boards of Guardians, now under the provisions of the Poor Law Amendment Act, including five Incorporations in Norfolk and Suffolk 583	13,691	11,841,454
Total number of parishes, &c., not yet placed under the Poor Law Amendment Act		
[December, 1839.]	Totals	14,490
		13,897,187

formed into incorporations under Gilbert's Act, some are under Local Acts, and a few others have, for special reasons, been left under their former parochial management. Moreover, there are still about 70 Unions in which a central workhouse has not yet been built. Many other Unions (especially in the northern counties) have only been recently formed, and they still need the frequent guidance of the Commissioners and Assistant Commissioners, in order to bring them into a state in which they can give effect to the provisions of the new law.

The subject of the apprenticeship of pauper children has not yet been approached by the Commissioners; and the arrangements for their education (which will be adverted to in a subsequent part of our Report) are as yet far from being matured. Notwithstanding the large reduction in the expenditure for the relief of the poor, several of the abuses of the old system of administration still continue to exist. Relief in aid of wages is still given in almost every Union to all paupers except able-bodied males, and it is given even to paupers of this latter class in many Unions in which the workhouse arrangements are not completed. Relief is still given extensively to paupers resident out of their Unions. From a recent return which we obtained, it appears that, in the quarter ending 25th March, 1838, 94,852 persons were thus supported. There are likewise various matters connected with the keeping of accounts, the forms of contracts, and the regulations for the government of the officers of the Unions, which require the careful revision of the Commissioners, in order to place the administration of relief on a satisfactory footing as regards both the paupers and rate-payers. No steps have been yet taken for carrying into effect the provisions of the Poor Law Amendment Act (s. 33-34), respecting Unions for purposes of rating and settlement, by which a great improvement and simplification of management would be effected, and much fraud and litigation, now produced by contested settlements, and by partial and unequal rating, would be prevented.

We may here remark, that if less progress has been made towards the administrative changes intended to be introduced through the agency of the Poor Law Commission, in the five years which have elapsed since its creation, than some persons may have anticipated or desired; and if much still remains to be done in order to introduce and establish universally the mode of administration contemplated by the Poor Law Amendment Act, this delay has been owing, not to any remissness on the part of the Commissioners, but to the opinion of Parliament, Her Majesty's Government, and the public generally, which was opposed to a more rapid extension of the law, and to the employment of more decisive measures for carrying it into effect. The delay has also arisen in part from the want of certain additional facilities for administering the law, which have been recommended by the

Committee of the House of Commons, and which will be adverted to in the present Report.

2. It is evident, however, that the Poor Law Commission was not intended merely to introduce a new system of administering the Poor Laws, (as the Tithe Commission was created simply for the purpose of effecting a certain commutation of tithes,) but that it was intended also to maintain and regulate that system when introduced. The Commissioners of Inquiry recommended a permanent, and not a temporary Commission, as appears from their arguments repeated in the extract from the Report of the Committee of the House of Commons, which we have cited above;* and, in the Bill as originally introduced by the Government, the duration of the Commission was unlimited. The limitation of its duration was inserted in the Bill during its progress through Parliament; and it was probably rather adopted as a measure of precaution, and for the purpose of expressly subjecting the proceedings of the Commission to the revision of Parliament at the end of five years, than with an intention that the Commission should expire at the time designated in the Act.

That the Poor Law Commission was constituted, not merely for the purpose of introducing the Poor Law Amendment Act, but also for the purpose of superintending the ordinary administration of this and the other laws relating to the relief of the poor, and that great confusion, disorder, and other serious inconveniences would arise from the extinction of a superintending authority, will, we think, appear conclusively from an examination of the business transacted by it.

The business transacted by the Poor Law Commission is of two sorts:—First, the business which it originates;—and, secondly, the business which arises from the applications of Poor Law or other public officers, or of private persons, for information or advice. The business originated by the Commission consists mainly in orders issued for the purpose of introducing the mere machinery of the Act, and then for the gradual application of its provisions, as the district becomes from time to time prepared for their adoption; such as orders for the election of guardians, the regulation of workhouses, the authorizing the appointment of paid officers and the defining their duties, the restriction of money or out-door relief to certain classes of paupers, &c. The orders of the latter class require revision, emendation, and addition from time to time. The auditing of the Poor Law accounts is another important branch of the business initiated by the Commission. The power of dismissing the officers of Poor Law Unions likewise gives rise to much business of the same sort. The Parochial Assessment Act has moreover necessitated a survey and a new valuation of a large part of the real property of England and Wales, which has been carried on under the directions of the Poor

Law Commissioners, their consent being made necessary for these operations. The Parish Property Act has besides imposed much additional business on the Poor Law Commissioners, which is necessary for giving effect to the provisions of that Act.

All the business which we have just mentioned is necessary for the administration of the existing law; and if the Poor Law Commission were simply abolished, and no other authority substituted for it, the administration of the Poor Laws, as modified by the late Acts of Parliament, could in many places be scarcely carried on, and in all places it would only be carried on with great inconvenience.

The second sort of business above adverted to, may be styled the *voluntary* business of the Poor Law Commission. It does not originate with the Commission, nor is it absolutely necessary for carrying the existing law into effect; but it consists in answers to applications made to the Commissioners for their opinion and advice in questions where the applicant is in doubt as to the legality or prudence of any course of conduct. A large number of questions on points of law, arising in the administration of relief, are submitted to the Commissioners, and are regularly answered by them. Many of the legal questions thus submitted to the Commissioners admit of an easy solution by persons whose attention is continually directed to the subject of the Poor Laws. Many, however, present considerable difficulty to persons who approach them even with this advantage. This may be considered a very valuable part of the business which is transacted by the Commission, inasmuch as the advice given in this manner has materially contributed to produce the great reduction in Poor Law litigation which has taken place since 1834, the last year before the passing of the Poor Law Amendment Act. The total amount of expenses for the removal of paupers and Poor Law litigation, in 1834, was 258,604*l.*; the total amount of the expenses for the same purposes, in 1839, was 64,510*l.*; showing a diminution, as compared with 1834, of 194,094*l.* From such a diminution of litigation, it may be inferred that a much greater proportion of injustice and illegality has been prevented; since, of many cases of wrong, few could at any time have been the subjects of litigation.

The whole of the business just described (in addition to the Irish business, of which we are not now speaking) is transacted by the Poor Law Commissioners, aided, chiefly for the purposes of local inspection and control, by their Assistant Commissioners.

We would here beg leave to recall to your Lordship's memory the state of England, immediately before the passing of the Poor Law Amendment Act, as described in the Report of the Commissioners of Inquiry. The amount of the Poor-rates had become grievously oppressive in most parts of the country, and in some

places had become nearly intolerable, so as to threaten the abandonment of the land by the proprietors. But the heavy taxation was not so oppressive to the rate-payer as the mode of distributing the rates was pernicious to the paupers and the rest of the community. Various contrivances for confounding relief with wages had enabled the predominant interest in each locality to force their weaker neighbours to contribute to a common fund from which they did not derive an equal benefit, and had converted the state of the labourer into a condition little superior to that of predial servitude. The consequences of this perversion of the natural relations of employer and workman were developed in the agrarian disturbances and fires of 1830 and 1831, and in a general feeling of insecurity and alarm throughout the southern and eastern counties of England. Now, although the Poor Law Commission has existed for little more than five years, the causes of evil which we have just described have been extinguished. Systematic relief of able-bodied men in aid of wages, only exists in a few Unions which do not yet possess an efficient workhouse. All the other pernicious varieties of the old mode of relief, which are described by the Commission of Inquiry as being then in full vigour—the allowance system, the roundsman system, the labour-rate system—have ceased. That the Poor Law Commission has thus far executed the task prescribed to it by the Legislature cannot be disputed. But, notwithstanding the cessation of the vicious practices just described, it is not to be supposed that the habits which those practices had engendered can have been eradicated in the short course of a few years; or that new habits, more consistent with a sound practice, can have been established in their place. The reflecting part of the public may support the new Law from a conviction of its utility; but the unreflecting part can only be expected to be determined by usage. Hence it is to be feared that the amended system of Poor Laws would not be established permanently in the country, and would not continue to work beneficially, if the powers of the Poor Law Commissioners were to cease at the term fixed by the late Act. From the addresses of the Boards of Guardians, and from the opinions of persons practically conversant with the subject, it may be inferred that the superintending authority of the central Commissioners, combined with the local inspection and control of their Assistant Commissioners, is essential to the administration of the existing law. The modern workhouse furnishes (as we shall show hereafter) a mode, consistent with humanity, of making the condition of the pauper less desirable than that of the independent labourer, and consequently introduces a new principle into the ordinary administration of legal relief to the poor in this country. This principle, on the one hand, affords a satisfactory answer to those reasoners who object to all legal relief of the poor, on the ground that its abuses must always preponderate over its uses; and,

on the other hand, furnishes an effective instrument to those who desire to administer legal and sufficient relief in a manner consistent with the preservation and accumulation of property, and with the maintenance of the rights of industry. Since the efficiency of the workhouse principle has, through the operation of the Poor Law Amendment Act, been understood by a large number of persons, the country would probably not relapse into all the abuses of its former administration of the Poor Laws, if the Poor Law Commission were abolished. Persons desirous to correct or guard against these abuses would henceforth, under any circumstances, know what to do, and would only be deterred by want of courage or energy from contending against the aggressions of pauperism. Formerly those who most desired to reform the administration of the Poor Laws knew not what to do, and despaired of finding a remedy for the evils which they deplored. If, therefore, the Poor Law Commission were to be suffered to expire at the time fixed by the late Act, the administration of the Poor Laws would probably not sink to quite its former level, and the poor-rates would probably not rise to quite their former height; but the force of the vicious habits and deep-rooted prejudices which were generated by the old system, and the struggles of interested classes and persons to revert to it, show that the deterioration would be general and rapid. The attempts which are constantly made to evade the law by indirect means, whenever there is a possibility of so doing (as by voluntary rates, by the highway-rates,* and by the abuse of orders for food, &c., given by the medical officers), confirm us in this anticipation. In expressing this opinion, we are not unmindful of the able and efficient support which the law and the Commissioners have received from many leading members of the Boards of Guardians; but we doubt whether even their zeal and intelligence would suffice to maintain the correct principles of the Poor Law Administration, if they were deprived of the support of a central superintending authority, ready to enforce the law without reference to local or personal considerations.

5. Another reason for prolonging the powers of the Poor Law Commissioners has been created by the passing of the Irish Poor Relief Act. This important measure received the royal assent on the 31st of July, 1838. The Bill was introduced by Her Majesty's Ministers after the elaborate inquiries of a Commission which continued its labours for several years; and it was passed after mature deliberation, having been discussed in two successive sessions of Parliament. This measure introduces into Ireland some innovations of great moment, viz., a compulsory rate for the relief of the destitute poor, and representative Boards of Guardians. It likewise authorizes the expenditure of considerable sums of

* See the Evidence before the Select Committee of the House of Commons on the Highways Act, ordered to be printed 16th August, 1838.

public money in the construction of workhouses. The execution of this measure was deliberately confided to the Poor Law Commissioners; and the scheme of a separate board of management was deliberately rejected. Now, if the Poor Law Commission were suffered to expire, and no provision were made for the exercise of the powers vested by the Irish Act in the Poor Law Commissioners, this Act would be virtually repealed. Since a Poor Law machinery does not exist in Ireland, and must be created in order to enable legal relief to be administered, the provisions of the Act would be perfectly nugatory. This result can hardly have been contemplated by the Legislature when it passed the Act in question at so late a period as the session of 1838.

It may, perhaps, be said that the powers of the Poor Law Commission might conveniently be suffered to expire for England and Wales, and continued for Ireland alone. But this plan is utterly inconsistent with the views upon which the Irish Poor Relief Act was founded. The administration of that Act was intrusted to the English Poor Law Commissioners, for the very purpose of introducing into Ireland the system of legal relief which had been established in England. It was thought that this object would be best attained by vesting the administration of the Poor Laws of *both* countries in the same authority; that by this means a unity of management would, as far as circumstances would permit, be ensured on both sides of the channel, and that the accumulated experience of the Commissioners for England would be made available for the benefit of Ireland. All these advantages would be sacrificed if the powers of the Commission were to expire for England, and were to be continued for Ireland alone. It may be added that, if the English Commission were to be suffered to expire on the ground of economy, little saving of public money would be produced by the measure. The addition made to the duties of the Poor Law Commission by the Irish Poor Relief Act has made little addition to its expenses. The salaries of the Commissioners have not been increased, and the increase of the establishment of their office has not been considerable.

There is, moreover, another consideration in reference to this supposition, to which it is important to advert. The system of legal relief which actually exists in England, and the system which is about to be introduced into Ireland, may be considered as substantially identical; that is to say, both systems rest upon the workhouse. In both countries the struggle to obtain out-door relief on easy terms, will be very great; in England, on account of habits created by the former profuse administration; in Ireland, on account of the depressed state of the great body of the peasantry. Now, the principal function of the Poor Law Commissioners is to resist the strong tendency of the local authorities to fall into a lax administration of relief, and to strengthen them in the performance of their duties when they are unable to stand

alone against the heavy pressure to which they are subject. If, therefore, the Poor Law Commission were abolished for England and continued for Ireland alone, the abuses of the former system would, to a great extent, return in England; and the existence of such practices in England would immediately serve as an argument for their introduction into Ireland. The authority of the practice in England would, in such a case, soon be too powerful for any resistance which the arguments or influence of the Poor Law Commissioners could oppose to it; and we leave your Lordship to consider what would shortly be the state of Ireland under the operation of a Poor Law administered as the English Poor Law was administered before the recent changes.

Having stated the principal reasons in favour of the continuance of the Poor Law Commission, we proceed to examine the chief objections most commonly urged against its existence.

The objection most commonly made to the existence of the Poor Law Commission consists in the assertion that its powers are *unconstitutional* or *arbitrary*. Stronger expressions, such as “tyrannical,” “despotic,” “dictatorship,” “starchamber procedure,” &c., are sometimes used, but apparently to convey only the same general meaning.

Expressions like those which we have just stated are sometimes applied to an exercise of the governing power which is really mischievous, and sometimes to any exercise of that power which the writer or speaker dislikes. But where these expressions have been applied to the Poor Law Commission with any precise meaning, we conceive that they have been intended to object to it, either that it introduces a *centralized administration*, or that it possesses *powers of subordinate legislation*. Upon this assumption we shall proceed to examine how much weight is due to each of the two latter objections.

1. With respect to the *centralized administration*, which is objected to the Poor Law Commission as an innovation inconsistent with the general spirit of the constitution, we may observe that this objection appears to assume that nearly the entire administration of the United Kingdom is conducted by local authorities, bound together by no common tie except the general law, and acknowledging no common superior except the Crown and the Parliament. This assumption, however, is not consistent with fact. Not to mention the army and navy, and also the Post-office, for which a centralized administration may be thought almost indispensable, it is to be observed that the administration of justice is as much centralized in this country as is consistent with the termination of civil and criminal actions. The judges of the superior courts of common law only move out of London twice in the year; and the sittings of the courts of equity, and of the superior ecclesiastical and admiralty courts, are permanently fixed

in London. Besides the administration of justice, all the administrative machinery for the collection and protection of the public revenue is worked by central authorities, viz., the Boards of Customs, Excise, Stamps, and Taxes, and the chief office of the Preventive Service, which departments are again subject to the general control of the Lords Commissioners of the Treasury. The auditing of the public accounts is likewise carried on by a central board. These examples show that superintendence by a central administrative authority is no innovation in the English constitution. Indeed, the only important instances in which the English constitution has permitted a large outlay of public money without some responsibility to the general Government are the poor-rates, and the analogous cases of county and borough-rates, highway-rates, and the expenditure for the maintenance of turnpike-roads. The want of adequate responsibility has, in these branches of expense, led to profuse outlays of public money, and to serious financial embarrassments. But the annual expenditure for the purposes defrayed out of the county and borough-rates, and for the maintenance of roads, however large, falls very short of the expenses for the relief of the poor; nor is the tendency to abuse, or the difficulty of ressing a lavish expenditure, so great in the former as in the latter case. The government of England, and (as far as we are aware) the governments of the rest of the civilized world, can offer no parallel to the old Poor Law system, which annually levied and disbursed in England and Wales alone, about seven millions sterling, by means of local, unconnected, and unpaid officers, abandoned to their own judgment, destitute of any central guidance or control, and subject to no effectual responsibility.

We may remark further, that an exaggerated idea appears to be generally entertained of the centralization which has been introduced by the Poor Law Commission. The formation of parishes into Unions for Poor Law purposes is, indeed, the exclusive business of the Commissioners (though in this they have always shown great deference to the opinions of the persons on the spot); but when the Board of Guardians is once in operation, its powers are very extensive. The Board of Guardians dispenses all relief, appoints all paid officers, and administers all other Poor Law business in the Union, subject only to the general superintendence of the Commissioners, and to the regulations issued by them. By a proviso at the end of the 15th section of the Poor Law Amendment Act, the Commissioners are expressly prohibited from "interfering in any individual case for the purpose of ordering relief." And even if the Commissioners were not so prohibited, our view of the duties of our office would induce us to decline interfering in any such case; although we are not unfrequently applied to for that purpose. The only discretion which we exercise respecting relief in individual cases is under the 52d section of

the Act, which enables the Guardians to depart from the rules of the Commissioners in instances of emergency, provided that such departure is subsequently approved of by the Commissioners. Moreover, it is to be remembered that the Boards of Guardians do not consist of persons nominated by the Poor Law Commissioners or by the Government, but are formed partly of magistrates sitting by virtue of their offices, and partly of members chosen by the most numerous constituency known to the law.* Accordingly, the administration of the Poor Laws, as established by the Poor Law Amendment Act, is not a highly centralized system (like the administration of justice, or the revenue departments, in this country); but it is a combination of local management, with central superintendence. The centralized institutions of some of the continental governments leave little or no discretion or independence to the local authorities in certain branches of the administration. The old administration of the Poor Law in England was entirely conducted by local authorities, destitute of any common standard of reference except the various Acts of Parliament, which they often interpreted, or even set aside, as suited their interests or convenience. The present system of administering the Poor Law is a medium between these two extremes; and it is so contrived as to combine the advantages and to exclude the disadvantages of the two systems. It furnishes the uniformity of action and the accumulation of experience which result from a central superintendence; whilst it possesses the knowledge of detail and active zeal which belong to local management.

This is the view which we have, from the beginning, taken of the scope of the Poor Law Amendment Act, and of the duties it imposed upon us. We have ever sought to exercise our powers in such a manner as to avoid all unnecessary interference with the Boards of Guardians and other local authorities; and we have abstained carefully from doing anything which might extinguish the spirit of local independence and self-government which, when guided by an enlightened discretion, we consider the characteristic excellence of the English people. Whatever irritation may have been caused in some places by the measures necessary for the first introduction of the law, we are satisfied that all our proceedings will, if impartially examined, be found to have been dictated by the spirit which we have just described. In confirmation of this statement we may remark that the appointments of officers made by

* Population of Unions and single parishes in the metropolis, with the number of voters for election of Guardians.—See App., Second Report, p. 632.

Population.	Number of Voters.
654,424	40,319

Assuming the votes to bear the same proportion to the population, the number of voters for the portion of the kingdom united under the Poor Law Amendment Act may be stated as follows:—

Population.	Number of Voters.
11,809,780	727,599

the Boards of Guardians are sanctioned by us as of course, if there should be no decisive objection to the choice ; and that no officer is dismissed by us without our assigning the circumstances in which his unfitness or incompetency, or his disobedience to the rules of the Commissioners (the causes of dismissal defined by the Poor Law Amendment Act, s. 48), consist. Moreover, much of the business transacted by the Poor Law Commission has arisen from voluntary applications of the Boards of Guardians and parish officers for advice, in the manner which we have already stated. These voluntary applications arise in general from a conviction not only of the wider experience of the Poor Law Commissioners than that of any local authority, but also of their exemption from local partialities. An impartial tribunal of appeal, in case of differences of opinion between any of the parishioners or parish officers, can be afforded only by a distant authority, such as the Poor Law Commission. It likewise frequently happens that disputes arise between *different* parishes or Unions, respecting the relief of paupers. Here the Poor Law Commission affords a common point of reference, and can interpose immediately, if it should be expedient, in either or both of the parishes ; whereas, according to the old law, such a dispute could be determined only by the slow, expensive, and comparatively inefficacious process of an application to a court of justice. The general superintending power of the Poor Law Commission also supplies another defect of the former law ; viz., the want of a power of inquiry into alleged abuses in the distribution of relief.

It should be further observed that the powers which the Poor Law Commissioners are called on to exercise, have little which is calculated to gratify any sinister interests of personal ambition or corruption. The dispensation of relief is vested in the local authorities ; and our principal duty is to control and limit that dispensation. The appointment of salaried officers is likewise vested in the same authorities ; and we have only the invidious, and often painful duty of dismissing them for unfitness or misconduct. It will on examination be seen that scarcely any power which we possess is likely to be abused, unless we yield to the popular outcry which is directed against our powers : and that the readiest mode of obtaining applause for our humanity and public spirit would be to neglect the performance of our duties, and to convert our offices into sinecures. This subject is clearly explained and illustrated in the following remarks from a Report made to us by Mr. Tufnell. Speaking of the power of the Commissioners to prohibit out relief, he says :—

“ I beg to make one remark on the absurdity of the popular jealousy respecting this power of the Commissioners, or rather the wrong direction which that jealousy seems to have taken. Extensive

as their authority is in directing the distribution of relief, (and I contend that, as respects the able-bodied, it should be still greater,) it should be observed that it is almost wholly exercised in restricting, not in augmenting, relief; in fact, the public outcry is constantly directed against their supposed inconsiderate harshness. Were the public a little more long-sighted, it would see that every motive, save the single one of a strong sense of duty, impels a public Board like the Commissioners in a course precisely contrary to that which is made the subject of such constant attack. Their interests lead them to yield to applications for relaxation from their rules, their refusal to do which causes such violent declamations, as they could only be induced to incur by a rigid sense of public duty. The popular jealousy is unreasonably directed against such refusals, that is, against conduct which indicates a sacrifice of interest to duty, whereas it ought in reason to be on the alert, lest their duty be sacrificed to their interest. To illustrate this by an instance: A Board of Guardians sends up to the Commissioners a case in which they desire to break through the rule that prohibits out-relief to able-bodied. It is, perhaps, referred to me for an opinion, who of course am in the same position as respects motives as the Commissioners. I know possibly that there is no good ground for the application, and that to grant it would break through a principle, the observance of which is of the utmost importance to the present and future welfare of the labourers, and yet a superficial plausibility may always be alleged in its favour, and acquiescence is sure to be popular. If then, under the sense of duty, the application be disallowed, I have to endure perhaps abuse in the newspapers, insults from individual guardians, and every description of unpleasantness. If it is allowed, I escape all these disagreeable consequences, the public applaud the so-called humanity, the discretion is said to be properly exercised, and my business proceeds calmly and quietly along, though a serious blow may be struck at the real interests of the labourers. But *that* I do not feel, the expense that may be incurred affects not me; and it may be years before the benefit of a contrary course is so fully developed as to beat down opposition, and bring the popular voice on the side of truth and reason. The fear in committing such extensive powers to the Poor Law Commissioners should not be lest they should use them improperly, but lest they should not use them at all; lest they should not interpose in the attempts that are continually made to break through the correct principles of Poor Law Administration, and thus stifle popular dissatisfaction by consulting their personal ease. It appears to me to be in the nature of a Poor Law, that its worst abuses should be popular, and in a district such as this [Kent and Sussex], where they had taken so deep a root, no restraining power should be refused that can tend to repress their growth, as none is so little capable of being misused by active exercise."

It is true that measures of the Commissioners for diminishing the burdens of the rate-payer, and for restoring the natural relations of the employer and labourer have been generally approved of by reflecting persons; and that, by their support in the Boards of Guardians, the law has been carried into effect. Nevertheless, the Commissioners have scarcely ever been so loudly blamed as

when they have interfered to protect a weak minority against unjust taxation, or to maintain the rights of property and industry.

We may here remark, that our proceedings are also liable to a class of objections which are diametrically opposed to the preceding objection. When it is considered that there are 585 Poor Law Unions in operation in England and Wales, and that each one of these contains several relieving officers, and medical officers; furthermore, when it is considered that there are in England and Wales 14,400 places relieving their own poor, each of which annually appoints at least two overseers, it will hardly be wondered that cases of neglect, violation, or misconception of duty, in Poor Law functionaries, should from time to time occur. Moreover, instances will occasionally happen, in a population of 13,000,000, of extreme distress, or even of death, arising from causes which nothing but individual forethought could avert. Now, when any such case of transgression on the part of any Poor Law functionary, or of misery or death arising from an inevitable cause takes place, it is commonly attributed in the public prints to the New Poor Law, although it is notorious that such cases have always happened from time to time in this country, and that they were formerly more frequent than at present. While one set of objectors blame the Commissioners for their intrusive interference with the management of the poor, and for covering the country with their functionaries; another set of objectors expect them to be omniscient and omnipresent, to supersede the exercise of all forethought among the working classes, and to ensure the entire population against all the sudden ill effects of want, disease, and the neglect or cruelty of relations. If the Commissioners interfere extensively, they are blamed for grasping at power, for crushing all local management, and for taking the administration of the poor-rates out of the hands of the rate-payers. If they do not interfere extensively, and some case of distress occurs, it is said that they have neglected their first duty, in leaving the poor to starve without the requisite assistance.

We may observe, too, as another instance of the inconsistency of the objections which have been made to the powers of the Commissioners, that they have not only been blamed for exercising the powers which they do possess, but also for not exercising powers which they do not possess. They are alternately attacked for interfering, and for not interfering; at one moment they are censured for doing that which the Legislature expressly appointed them to perform, and the next, for not doing that which, by the plainest terms of the law, is beyond their authority.

With respect to the complaint of the *arbitrary* procedure of the Poor Law Commission, we may remark that it not only is not true, but is the very reverse of the truth. The old administration of the Poor Law *was* characterized by repeated arbitrary

departures from the law, established by the systematic practice of parish officers and magistrates, over large districts of country. The Report of the Commission of Inquiry abounds with examples of the illegal discretion assumed by the dispensers of relief, previously to the passing of the Poor Law Amendment Act. The Commissioners of Inquiry state, at the outset of their Report, that "in the greater part of the districts which they have been able to examine, the fund which the 43d of Elizabeth directed to be employed in setting to work children and persons capable of labour, but using no daily trade, and in the necessary relief of the impotent, is applied to purposes opposed to the letter, and still more to the spirit of that law."* The allowance system, in particular, was an arbitrary departure from the statutes. The Poor Law Commissioners, on the other hand, have sought to confine an abusive and lax administration within the strict limits of the law; and a great part of their duties has consisted in enforcing the observance of neglected though useful statutory provisions. The strict legality of the proceedings of the Commissioners have given rise to numerous complaints; and we constantly receive applications from overseers, constables, clergymen, &c., requesting that charges disallowed by the auditors as illegal may be passed. The same is likewise true of other kinds of expense formerly charged upon the poor-rates, such as the costs of prosecutions.

The next branch of the objection under consideration is the power of *subordinate legislation* which has been delegated to the Poor Law Commissioners.

With respect to their power of subordinate legislation, it is to be observed that a similar power has, to a greater or less extent, been delegated, either expressly or tacitly, to every considerable administrative department of the state. Indeed, such a power seems necessary to all administration; since a law of a supreme legislature can hardly be so complete and minute as to admit of being executed without the establishment of some subsidiary regulations. Thus the Treasury and the Revenue Boards possess a power of making regulations respecting the collection of the revenue; the Postmaster-General possesses a similar power of making regulations respecting the transmission of letters by post; the Commander-in-Chief possesses a similar power of making regulations for the army, and the Lords Commissioners of the Admiralty for the navy. In all these cases the power of making regulations is limited by express enactment or by usage. The indirect subordinate legislation of the courts of justice has created nearly all the common law and equity; that is to say, a great part of the civil and criminal law of the land. All the superior courts of law and equity likewise possess a direct power of subordinate legislation for the purpose of regulating their own procedure; or, as it is termed, of making rules of court.

* Page 13, ed. 8vo.

Justices of the peace likewise possess powers of subordinate legislation for many municipal purposes, which are closely analogous to the powers of subordinate legislation possessed by the Poor Law Commissioners.

For example, in the administration of the Poor Laws, their powers of making orders affecting individual cases, have far exceeded those of the Poor Law Commissioners, both as to the subjects (especially the taxation of the rate-payers, and the removal of the poor) and as to the extent to which the powers are applicable. The statute of the 43d Elizabeth gave to the justices a control over the overseers in every respect: the overseers being required to take order for relieving the several classes of the poor with the consent of two or more justices. The words of the statute seem to countenance the early practice of the justices of giving instructions for long periods of time, by which, as by a rule of conduct, the overseers generally abided during their year of office.

These powers of superintending the whole administration of the Poor Laws were greatly extended by the Acts giving justices more stringent and compulsory powers over overseers; particularly such Acts as 36 George III. c. 23, (commonly known as East's Act,) enabling the justices to order relief to poor persons at their own houses. These powers of superintendence appear to have been systematically used in some cases by regulations of extensive effect, very similar to the Commissioners' general rules: but with this difference, that the justices were not subject to the responsibilities which attach to the Commissioners in respect of their rules. The most striking instance of the use of such power by the justices is that of the creation of the scale system, for allowance of head money as out-relief in aid of wages, and proportioned to the number of the members of each family; which became the most extensive system of relief of which any experience has yet been had, and which had its origin entirely in the discretion which the statutes were understood to have vested in the justices. The orders made in virtue of this discretion are described in the Report of the Poor Law Commissioners of Inquiry, (page 21,) as having been "sometimes matured into a system, forming the law of a whole district, sanctioned and enforced by the magistrates, and promulgated in the form of local statutes, under the name of *scales*."

Many other instances exist, in which justices are invested with the power of making general rules relating to Poor Laws and other matters, usually without appeal to or influence from either the courts of law or the Secretary of State, or any express provision of security for its use or check upon its misuse. Thus the justices at general or quarter-sessions have, under the 3d and 4th of William IV, c. 40, s. 4, the power to make orders, rules, and regulations applicable to their whole county, for carrying into

effect the provisions for the removal of poor persons born in Scotland and Ireland, and the Isles of Man and Scilly, which orders, rules, and regulations are to be observed by all justices of the peace, overseers, churchwardens, constables, and other persons concerned in and charged with the removal of such poor persons.

The following are instances of similar powers of subordinate legislation exercised by the justices in subjects not connected with the Poor Laws.

The justices at general quarter sessions are enabled to carry into effect, by means of general orders, the provisions of the Acts relating to gaols and houses of correction.

With respect to county asylums for lunatic and insane poor, the justices have the power to provide the building, to charge the rates for that amongst other purposes, and to regulate the entire management of the buildings, the officers, and the inmates.

A most important and universal legislative power of justices of the peace is that which the law has at various times invested them with of fixing the ingredients and the prices of commodities, by an assize—for instance the assize of bread. The justices were to fix the assize, the weight, and the prices of all sorts of bread made for sale, when and as often as they should think proper—determining the reasonable allowance to the bakers for their charges, labour and profit as the justices should deem proper.

Very similar and equally extensive was the power of regulating wages which was possessed by justices for many centuries. It was confirmed to them by the Act of the 5th of Elizabeth, passed in 1563, and was thenceforth continued through a period remarkable for the assertion of constitutional principles, until the year 1813. The justices had the power of limiting, rating, and appointing the wages as well of artificers, handicraftsmen, husbandmen, as of any other labourer, servant, or workman, whether the wages were payable by the year, day, week, or month, or otherwise; whether the work were by the great, for mowing, reaping, or the threshing of corn and grain, for mowing or making of hay, for ditching, paving, railing, or hedging, or for any other reasonable service or labour. These assessments of wages, when proclaimed, were binding on all justices, sheriffs, and other officers, and on all masters and servants affected by the assessment.

It may be remarked that the powers possessed by justices for fixing the prices of commodities and the wages of labourers were abolished, not because it was thought inexpedient to invest justices with these powers of subordinate legislation, but because the system of fixing prices and wages by law was abandoned.

Various legislative powers are given to justices to fix the boundaries of districts for various municipal purposes, as to make divisions for the holding of petty and special sessions, and to form parishes into districts for the surveying of highways.

In reference to the imposing of taxes and charges, and their

expenditure, besides their authority in making and expending the county rates, they have many incidental powers of legislating, by making rules of universal application within their jurisdictions, as in the instance of coroners' inquests, with respect to which they have an unlimited power to fix all fees, allowances, and disbursements, excepting merely the fees of medical witnesses, which are fixed by statute; and they also have the power at quarter sessions of settling the fees to be paid in Poor Law business, as well as all other business done at petty or special sessions. The exercise of this power, however, is subject to the approval of the justices of the courts of law at Westminster.

These examples (to which many others might be added) show that there is no foundation for the idea that the power of subordinate legislation conferred upon the Poor Law Commissioners by the Poor Law Amendment Act is unconstitutional. The *extent* of the power so conferred seems to be likewise misconceived. A power of subordinate legislation can be exercised only for the purpose or purposes defined by the supreme legislature which confers it. Thus the Poor Law Commissioners can make orders and regulations only for certain specific purposes enumerated in the Poor Law Amendment Act (such as the management of the poor, the government of workhouses, and the education of the children therein, the management of parish poor children under the provisions of 7th George III., and so on), and generally for the purpose of carrying the Act into execution; but their power is strictly confined within these limits. Again, a power of subordinate legislation can be exercised only in conformity with the existing law; it can only carry out into detail the general intentions of the supreme legislature; and it cannot infringe or derogate from any statutory provision or rule of unwritten law. Whatever rules Parliament has laid down respecting the relief of the poor, the Poor Law Commissioners must enforce without modification; they can only give to these rules greater precision, by developing their provisions, and making subsidiary regulations for carrying them into complete effect. As an instance of the paramount authority of a statutory enactment, we may mention that some time ago we wished to regulate the power of holding proxies for the election of guardians; inasmuch as the present law permits the unlimited accumulation of proxies in the hands of a single person (a subject to which we shall advert hereafter); but we were advised that we could not limit a power which Parliament had given without reservation.

The mode prescribed for the issue of the general orders of the Poor Law Commissioners likewise ensures their responsibility for the exercise of this power. Notice must be given to the Secretary of State, in the manner which will be stated lower down; the entire order must be expressed *scriptis literis*, and effectual means are taken for its promulgation.

Nor should it be forgotten, that a direct remedy is provided for

any person who conceives that the Poor Law Commissioners have overstepped their legal power in any order by which he may be affected. By the 105th sec. of the Poor Law Amendment Act, every rule, order, or regulation of the Poor Law Commissioners is removable by writ of *certiorari* into the Court of Queen's Bench. In this manner the proceedings of the Poor Law Commissioners can, in every important case, be brought cheaply and speedily under the revision of the judges of the Court of Queen's Bench: whereas the legality of the orders of other public functionaries is not equally open to trial, or triable with equal facility and cheapness. For example, if any person wished to try the legality of a regulation respecting the removal of Scotch or Irish paupers made by the justices in quarter sessions, he would probably be forced to have recourse to the indirect remedy of an action of trespass, and certainly would not be entitled to have the order brought before the Court of Queen's Bench by a writ of *certiorari*. It may be added that the security which the public derives from this source is not illusory; since the Court of Queen's Bench has, in every case respecting the powers of the Poor Law Commissioners which has hitherto come before it, put upon the Act the most rigid construction of which it was susceptible. It should likewise be borne in mind that the Commissioners have not, like a court of justice, a power of enforcing their own regulations. A neglect or disobedience of their regulations is punishable, for the first and second offence, upon conviction before two justices, and for the third and subsequent offences, it is indictable as a misdemeanour (s. 98 of the Act); but the Commissioners have no more direct mode of enforcing obedience to their regulations.

It is not for us to justify the determination of Parliament, in devolving upon the Poor Law Commissioners a power of subordinate legislation for the purpose of giving effect to the Poor Law Amendment Act. We may, however, venture to remark, that if such justification were needed it might easily be found. The Parliament of this vast Empire, having not merely the affairs of Great Britain and Ireland, but also those of the Colonies and the dominions of the East India Company to attend to, is occupied with the establishment of general legislative rules, and cannot afford time for entering into the minute details of parochial and local regulation. Such details must be left to subordinate authorities, to be completed in the spirit of the general enactment. We may cite, as instances of such regulations of the Poor Law Commissioners, which would be unworthy to occupy the time of Parliament, the order regulating the discipline of the workhouse, the order defining the duties of the Union officers, the order prescribing the mode of keeping Poor Law accounts, and the order regulating the election of Guardians, issued by our Board. These four orders taken together considerably exceed in bulk the Poor Law Amendment Act. If Parliament were to attempt to ori-

ginate and discuss elaborate regulations of this sort, it would be compelled (even if it sat perpetually) to neglect a large part of its weightier duties. Nevertheless, regulations such as these are, within their limited sphere, highly useful and important; their original composition requires much thought; and they require to be modified from time to time, and to be adapted to special circumstances and different localities. If such a power does not exist, either great inconvenience is suffered, or else the laws are tacitly set aside in practice, or strained from their proper meaning by arbitrary constructions.

There is, moreover, in this country another advantage in the interposition of an authority between Parliament and the people, which can issue detailed regulations in a legislative form. The style for the composition of Acts of Parliament, which has been consecrated by usage, renders them hardly intelligible to persons who have not received a professional education, or who have not, by frequent study, become familiar with their peculiar language. Hence it is convenient that some competent authority should expound the intentions of the Legislature to the public, by distributing the provisions of Acts of Parliament into smaller portions, arranged according to the subject-matter, and by accompanying them with such interpretations and references as may tend to elucidate their meaning. No law can be obeyed which is not effectually promulgated; and the most effectual mode of promulgating a law is to put it in a form comprehensible by the majority of the persons to whom it is addressed, and to make its general provisions as detailed and specific as possible. We have reason to think that the departures from the law, which (as we have already stated) were frequent under the old system of administration, were not exclusively owing to the want of efficient superintendence, but arose in part from an ignorance of the law.

We may remark finally under this head, that the objections made by the Rev. Mr. Bull, in his evidence before the Lords' Committee of 1838, do not stop with the orders and regulations of the Poor Law Commissioners, but attack the legislative authority of Parliament itself. Mr. Bull considers the Poor Law Amendment Act as devoid of legal authority, because some of its provisions seem to him to be inconsistent with what he deems the doctrines of the Christian religion.* It is unnecessary for us to dwell on the anarchical tendency of the theory which this objection involves. If objections of this sort were suffered to prevail, no law in the statute book, however important or ancient, could command universal obedience; since any person who wished to withdraw himself from the operation of any Act of Parliament, need only declare it to be contrary to his views of the Christian religion,

* See the Evidence of the Rev. G. S. Bull, before the Select Committee of the House of Lords, on the operation of the Poor Law Amendment Act, (1838.)—pp. 244—247.

and he would at once be able to dispense himself from obedience to it.

We proceed to consider the only remaining objection to the existence of the Poor Law Commission, to which we shall deem it necessary to advert. This objection is, the alleged *expensiveness* of the Commission.

The following is a statement of the annual expenses of the Poor Law Commission since its creation:—

	£.	s.	d.
18th August, 1834, to 31st March, 1835	5,488	12	5
Year ended 31st March, 1836	27,842	13	8
„ 31st March, 1837	43,669	9	10
„ 31st March, 1838	51,849	17	4
„ 31st March, 1839—England	50,215	0	3
Ireland	3,613	17	7
	<hr/>		
	53,828	17	10
	<hr/>		
Total	£182,679	11	1

All the expenses of the Poor Law Commission have been defrayed out of the Consolidated Fund, under the direction of the Lords Commissioners of the Treasury, according to sec. 9 of the Poor Law Amendment Act.

We should remark that the expenses of the Poor Law Commission have been increased beyond their necessary amount, by the duties thrown upon it in consequence of the passing of the Parochial Assessment Act, and the Parish Property Act. These additional expenses may be estimated at not less than £3,000 a-year. Some additional expense has likewise been caused by the voluminous returns relating to Poor Law matters which have been called for by Parliament. A considerable expense has also been incurred in obtaining and digesting the annual returns of the expenditure for the relief of the poor, a duty formerly performed by officers of the House of Commons, but undertaken by the Commission on account of its command of greater facilities for its execution.

The total expenditure for the relief of the poor in England and Wales for each year since 1834 (the year in which the Poor Law Amendment Act was passed), as compared with the five preceding years, is as follows:—

26 *Objection to the Commission on the Ground of Expense—*

Year ending 25th March.	Monies expended for the relief of the poor.	Average annual expenditure of the five years.
1830	£6,829,042	£6,754,590
1831	6,798,888	
1832	7,036,968	
1833	6,790,799	
1834	6,317,255	
Total		
	<hr/> £33,772,952	
1835	£5,526,416	£4,567,988
1836	4,717,629	
1837	4,044,741	
1838	4,123,604	
1839	4,427,549	
Total		
	<hr/> £22,839,939*	
Average Annual Expenditure of the 5 years 1830-4		£6,754,590
Ditto of the 5 years 1835-9		4,567,988
		<hr/>
Average Annual Saving		£2,186,602
		<hr/>

The total saving in the expenditure for the relief of the poor since 1834, as compared with the total expenditure in the five preceding years, is £10,933,013. Accordingly, the total saving attributable to the Poor Law Amendment Act, as worked by the Poor Law Commission, to Lady-day 1839, was £10,933,013. The total expense of the Poor Law Commission, to Lady-day, 1839, was £182,679.

The saving in some subordinate branches of Poor Law expenditure since 1834 has considerably exceeded the total expense of the Poor Law Commission. For example, the average expense of Poor Law litigation for each of the two years ending March 1834 was £256,508; and the average expense of the Poor Law litigation for each of the five years ending March 1839 was £132,080. The saving under this head in the latter five years may therefore be estimated at £622,138; which is more than three times the expense of the Poor Law Commission during the same period. †

Consequently, if the Poor Law Commission is expedient on other grounds, its expense is not a sufficient reason for abolishing it. Considered simply as a means of saving the public money (a view which, we confess, seems to us narrow and erroneous), it has

* This sum includes generally the expenses of building, loans repaid, interest of money borrowed, and cost of persons migrating and emigrating. The amounts on the money expended for the relief of the poor are taken from the returns of the overseers, and not from the averages calculated by the Commissioners; and they are exclusive of county-rate, highway-rate, &c.

† See note (†) in p. 27. ,

been successful. It does not follow that an office which costs a considerable sum of money is on the whole expensive, or that an office which is performed gratuitously, or even produces an immediate gain to the Government, is on the whole cheap.

But, notwithstanding the magnitude of the evils produced by the old system of Poor Laws, and the acknowledged necessity of attempting to find some remedy for them; and notwithstanding the cogency of the reasons in favour of the new system, and the weakness of the reasons against it, to which we have adverted; yet the administration of the new law has encountered serious obstacles, from causes which could not fail to be foreseen by the authors and promoters of the measure. To some of these causes we proceed to direct your Lordship's attention.

In the first place, it is scarcely possible that a measure providing a remedy for extensive and deep-seated evils should be carried into execution without disturbing numerous existing interests, and without clashing against received opinions and ancient habits of management and authority. This inconvenience has been peculiarly felt in the execution of the Poor Law Amendment Act; inasmuch as numerous interests had grown up under the old system, which were not limited to the possession of offices or other legitimate sources of gain, but extended to various illicit contrivances for diverting the poor-rates into private channels. For a copious illustration of these contrivances we need only refer to the Report of the Commissioners of Inquiry, and to various subsequent Reports of our Assistant Commissioners; to which the unprinted documents of our office would furnish ample additions.

We do not mean to cast any reflection upon any particular person or class of persons: but we only state what might be naturally

† EXPENDITURE IN SUITS OF LAW, REMOVAL OF PAUPERS, &c.

Years ended 25th March,		Average.	Years ended on the 25th March,					Average.
1833.	1834.		1835.	1836.	1837.	1838.	1839.	
£.	£.	£.	£.	£.	£.	£.	£.	£.
254,412	258,604	256,508	202,527	172,432	126,951	93,982	†64,510	132,080
			Decrease compared with the average of 1833 and 1834.					
			53,981	84,076	129,557	162,526	191,998	124,428
<p>The Total Expenditure for the 5 years ended 5th March, 1839, was £660,402.</p>								

† Removal of paupers and travelling expenses of overseers not included in this sum.

expected of any large body of men, when we say, that their judgments were likely to be biassed against a new system by which their profits were lessened, their power curtailed, or their habits broken; and that they were likely to condemn it on slight evidence, and to give a ready acceptance to *ex-parte* statements unfavourable to it. It should, however, be remarked, to the honour of the legal profession, that although their profits were materially diminished by the reduction of poor-law litigation consequent on the new Act, they have never taken any prominent part against the measure, or used the great abilities and influence which they possess, for the purpose of discrediting it.

In the second place, the Poor Law Amendment Act, though essentially of a popular tendency, bears outwardly an unpopular appearance; and from its restrictive character, as compared with the system which it supplanted, it admits of being plausibly represented as a measure hostile to the interests of the poor. Whatever tends to raise the condition of the mass of the people by forming them to habits of forethought, frugality, and self-dependence, has a popular and equalizing tendency. The same is likewise the effect of any measure which protects the industrious labourer against contrivances intended to lower the rate of his wages, to make his employment precarious, and to render him dependent on the caprices or shortsighted interests of his employers. But, although the Poor Law Amendment Act produces these effects, it accomplishes its purpose by abolishing abuses which, however pernicious they may have been to the poor in general, gave to some of them an easy subsistence at the public expense.

The causes of unpopularity, which we have just described, necessarily produced a demand for attacks on the New Poor Law. Accordingly many of the conductors of the newspaper press, not (as we believe) for the purpose of impeding the execution of the law, but with the natural desire of producing an acceptable commodity for their readers, commenced a series of attacks upon the measure and its administrators. It was soon perceived that the New Poor Law was a subject eminently fitted for rhetorical exaggeration, and that its alleged effects furnished materials which, if skilfully treated, would interest the feelings and stimulate the imagination of the reader. Indeed, so tempting a speculation for popular writers was afforded by the appetite for Poor Law horrors, that they have even been introduced into tales of fiction. If statements respecting alleged abuses in the administration of the Poor Laws are distinctly made, they can be investigated; and according to the results of the investigation, the statement can be contradicted or the abuse corrected. But false insinuations conveyed through tales of fiction are the more mischievous, because they produce their effect unconsciously upon the mind of the reader, and do not admit of refutation.

The professional agitators have not been slow to follow the ex-

ample of the press; and numerous inflammatory speeches against the New Poor Law have been made at public meetings, chiefly in the manufacturing districts. It was on an occasion of this sort that the pamphlet entitled "Marcus on Populousness," was first attributed to the Poor Law Commissioners; a calumny to which we should not advert, if we had not reason to think that it had been believed by many of the simple and credulous persons to whom it was addressed, and if a reprint of the pamphlet, attributing its composition to the Poor Law Commissioners, had not been extensively circulated among the working classes.*

When the numbers of Poor Law functionaries and paupers are considered, it becomes evident (as we have already remarked) that cases of neglect or abuse, and of consequent suffering, must occasionally arise. No wisdom or attention on the part of a Government can make a system of administration perfect; and in the administration of the Poor Laws there are peculiar difficulties to contend with. The number of persons receiving legal relief is still very large. The number of paupers in the workhouses is about 98,000; the number of paupers receiving out-relief is above 560,000. Now these persons cannot be fed like an army, whose wants can be anticipated, and which is collected in a few large bodies, and is regularly organized and disciplined. The paupers are scattered through the entire population of the country; and their wants must be relieved as they casually arise. Moreover, the paupers naturally include the most improvident and helpless part of the population, and therefore that part for whose wants it is the most difficult to provide. A pauper likewise commonly receives the public relief as his due, and without any gratitude, or any of the feeling which induces the industrious labourer to make

* Similar tales had been formerly circulated in other parts of the country. The following passage occurs in Mr. Gilbert's Report on Devon, dated June, 1836.—Second Annual Report, App. B., No. 9.

"Wherever disturbances have taken place, they have been traced to the instigation of some or one of these parties (keepers of beer-shops and corrupt parish officers). In the north of the county, where there were some disturbances, we found that the poor people were acting under the grossest deception. There was not anything too horrible or absurd to be circulated, and nothing too incredible for their belief. Few really understood the intended proceedings of the Guardians, and the opposition was not against the execution of the law, but the falsehoods in circulation. As soon as the intentions of the law were understood, the most riotous submitted, and received the alterations gladly. Amongst other ridiculous statements circulated, the peasantry fully believed that all the bread was poisoned, and the only cause for giving it instead of money was the facility it afforded for destroying the paupers; that all the children beyond three in a family were to be killed; that all young children and women under eighteen were to be spayed; that if they touched the bread they would instantly drop down dead: and I saw one poor person at North Molton look at a loaf with a strong expression of hunger, and when it was offered to her, put her hands behind her, and shrink back in fear lest it should touch her. She acknowledged that she had heard of a man who had dropped down dead the moment he touched the bread. It was also believed, that to touch the bread was like 'taking bounty,' and the Guardians would immediately seize them, kill their children, and imprison their parents."

the most and the best of his hard-earned gains. Hence it is to be expected that, in spite of incessant vigilance, cases of hardship or neglect, in which some blame is justly imputable to a Poor Law functionary, should happen from time to time. But we assert that, amidst all the outcry which has been raised against the law, nothing like a sufficient number of cases of hardship or neglect has been established to justify a condemnation of the system and its administrators, or to raise a presumption that the poor requiring relief have not almost invariably been treated with kindness and consideration. The worst cases of distress are those which have grown out of old abusive practices, not yet eradicated. Thus the interference of the Commissioners is repeatedly exercised, in order to enforce the liability of parishes to relieve every destitute person found in them, and to prevent the system of bandying about casual paupers from parish to parish, which prevailed extensively under the old law, and was often attended with the most revolting inhumanity.

Moreover, not only has the working of the new law been systematically misrepresented, and tried by an unfair standard, but some of its most important provisions have been constantly misstated. Thus it has been repeatedly alleged that the bastardy clauses in the Poor Law Amendment Act favour infanticide by taking from the mother of a bastard her right to relief; whereas, in truth, the Act does not repeal the right of the *mother* to relief, but merely limits the remedy of the *parish* against the putative father.

By the various means which we have described, an appeal was made to the country against the Poor Law Amendment Act. This appeal, it is to be observed, was not made to the interests or prejudices of a party or a class, nor to the angry passions or cupidity of the people at large; but to their humanity, liberality, and sense of justice. Many persons, of kind and generous dispositions, not having time to examine for themselves the provisions and policy of the law, or the evidence on which the confident and repeated statements of oppression and cruelty rested, were thus naturally misled into a belief inconsistent with the truth. In this manner the benevolent feelings of the public were, to a considerable extent, enlisted on the side of error; and probably even the fear of a return to the ancient poor law would hardly have been sufficient to support the new measure, if nearly all the complaints investigated by the Parliamentary Committees, and by our Assistant Commissioners, had not turned out to be unfounded; if a large portion of the public were not concerned, as members of Boards of Guardians, in the administration of the law; and if, consequently, there had not been a prevailing consciousness that most of the stories about poor law tyranny originated with interested parties, or were brought forward rather for the sake of de-

clamation or display, or of presenting a pathetic and saleable narrative, than with a view of seriously influencing the convictions of Parliament and the public.

It is, we think, shown by the foregoing remarks, that the attacks made on the Poor Law Amendment Act, through the press, do not afford an accurate index to the general opinion of the intelligent and impartial part of the public respecting it; and that the unpopularity of the law appears to be much greater than it is. In confirmation of this conclusion, we may observe, that the Poor Law Amendment Act could not be carried into effect without the general support of the country, inasmuch as its administration rests upon the Boards of Guardians, most of whose members are elected, and all of them serve voluntarily.* An unpopular tax might be levied by Government collectors, if the people were not inclined to resist its collection by force; and, even if they were so inclined, it might perhaps be levied by the assistance of the soldiery. But the Poor Law Amendment Act is executed by *ex officio* and elected Guardians, serving voluntarily, and offering a fair representation of the upper and middle classes of the locality. The mere fact of its being executed proves that it cannot be generally disapproved of. It is well known that over-severe criminal laws have been virtually repealed in this country by the unwillingness of juries to convict under them, notwithstanding the influence of the judge. The Poor Law Amendment Act would, in like manner, be repealed by the Boards of Guardians, notwithstanding the influence of the Commissioners, if the members of these Boards were generally opposed to the law. We are indeed able to affirm from our own knowledge, that, as the provisions of the law have been better understood, they have been more strongly supported; that many persons, who at first actively opposed it, have become its warmest friends; and that generally, throughout the country, it has received the deliberate approbation and steady support of a large, respectable, and intelligent portion of the community.

Some persons, on taking a general view of the present question, may be inclined to think that the truth lies in the midst of the two extremes, and that they shall best avoid error by believing a *part* of what has been alleged against the new Poor Law. We assert, however, confidently, that if the evidence be dispassionately and carefully examined, it will be found that nearly all the objections which have been raised against the measure are destitute of foundation. The laborious investigations of the Parliamentary Committees into the working of the law have assisted powerfully in establishing and diffusing the truth; and, accord-

* The following is a nearly exact statement of the number of the members of the Boards of Guardians in England and Wales:—

Elected.	Ex officio.	Total.
16,667.	4,198.	20,865.

ingly, the current of public opinion appears to be flowing in a direction favourable to the new administration. People are beginning to reflect that, harsh as the new law is said to be, it perpetuates and organizes the most extensive system of public relief which ever existed in the world; and this too in a country where wages are generally high, where the working classes are generally in a prosperous condition, and where there is a large demand both for manufacturing and agricultural labour. No other country possesses a Poor Law so extensive as the English system. The amount expended in the relief of the poor of England, in the five years since 1834, has been £22,839,939; a sum which would have sufficed to construct the requisite roads, bridges, and other public works over a large part of the United Kingdom, and would thus have promoted trade and intercourse, and have permanently increased the means of employment for the people.

Having made these general remarks on the nature, extent, and effects of the powers of the Commissioners, we will advert to two suggestions of the Committee of the House of Commons for the subjection of some of those powers to an additional control.

The first of these suggestions is, “that a less strict construction of the words ‘General Rule’ should prevail, and a greater publicity be given to the rules and orders under which the several Boards of Guardians are acting.” (P. 26.)

In order to enable your Lordship to judge of the expediency of adopting this suggestion, we will describe the practice of the Commissioners, and the reasons by which that practice has been governed.

The Poor Law Amendment Act enables the Commissioners to exercise all their powers by means of rules, orders, and regulations under their hands and seal;* and the Commissioners have no other mode of controlling the administration of the poor laws.

The Act distinguishes general rules from others, and defines them as follows:†—“The words ‘General Rule’ shall be construed to mean any rule relating to the management of the poor, or to the execution of this Act, which shall, at the time of issuing the same, be addressed by the said Commissioners to more than one Union, or to more parishes or places than one not forming a Union, or not to be formed into or added to a Union, under or by virtue of such rule;” and it requires that such general rules should be laid before the Secretary of State, forty days before they can take effect, and that they should be laid before Parliament.‡ It likewise enables the Queen, with the advice of the Privy Council, to disallow such rules, or any part of them, either within or after the period of forty days, during which they are to lie before the Secretary of State.

It will be seen, by the definition, that there is no other criterion

* §§ 15. 3.

† § 109.

‡ §§ 16, 17.

of a general rule than the fact of its being addressed simultaneously to several districts, and of its being equally applicable to all of them.

There is no distinction between general and particular rules, drawn from their object, effect, or form.

Every power of control with which the Commissioners are invested by the Act, is conferred by reference simply to rules, orders, and regulations, and never by reference to "General Rules." * It appears indisputable that every power of the Commissioners can be exercised by particular rules and orders, and that such rules or orders are only general when they are addressed to a system or combination of Unions or districts, upon which whole system or combination they operate simultaneously, and with a common and equally obligatory effect.

The variety in the condition of different districts, as regards both the nature and extent of the prevailing evils and defects, and in the means available as remedies, has hitherto been so great as to have deprived us of the opportunity of dealing with them in the systematic and combined manner contemplated in the provisions of the Act as to general rules, and we have been compelled to confine ourselves to the adoption of such remedies or improvements as each parish or Union appeared to be prepared for.

On the other hand we have used our utmost diligence in so preparing our particular orders as to avoid the creation of new anomalies, or the increase of that confusion which, on our entrance upon our duties, prevailed so generally as of itself to constitute the greatest impediment to an improved administration. We have, therefore, endeavoured on all occasions to adopt such measures as would tend to a uniformity of good practice, and with this view our orders for the remedy of each class of evils have been constructed as nearly as possible on one principle and in one form.

It has, indeed, been more an inevitable consequence of this method of proceeding, than a result for which the Commissioners can claim any credit, that every particular order, when once carefully and maturely considered, was soon found to be applicable without any modification beyond that of the names of places and persons to a great number of districts which were not contemplated in the preparation of the order. Your Lordship will perceive that in dealing with upwards of 14,000 places separately maintaining their own poor, it was impossible that many useful measures could be devised for any single parish, which would not be found to be equally applicable to a large proportion of the others. It will be equally obvious that the more forethought and attention were bestowed on the first of such particular orders, the less they would require alteration, either as to form or matter, in their application to new cases. The forms of many of the Commissioners' orders have been prepared prospectively, and before

* See §§ 15, 18, 19, 21, 22, 23, 25, 26, 32, 39, 42, 46, 47, 49, 52, 58.

occasion had arisen for their operation. Such are the forms of orders relating to the purchase of lands and workhouses, and for the sale of parish property. Most of these orders are wholly unsusceptible of any change of matter or form, and are consequently issued without any such change, and with the mere insertion of names and quantities. And yet, notwithstanding this complete identity of form and effect, it would be impossible to issue these orders as "general rules," as under them nothing is to be done in common or to an equal extent by any two Unions, and the occasion for their issue entirely depends on the circumstances and state of preparation of each parish or Union.

The same remarks likewise apply to the declarations of Unions, and to the orders for the election of guardians. It appears to us clearly impossible, while adhering to the provision and intention of the Poor Law Amendment Act, to devise "general rules" for the declaration simultaneously, and under one set of terms, of a system of Unions, or for the conduct of the election of guardians in the parishes of several Unions. Near the beginning of this year, we issued several orders to different Unions, revoking former orders and making new provisions for the election of guardians; and, when giving instructions for the preparation of these orders, we contemplated an extensive issue of them, and directed that they should be prepared as a general rule. But it was found that, of the Unions to which it was proposed to send this order, the greater part were still affected by some peculiar circumstances, which would require a modification of it for each case. They had all been declared at different times—many had their original orders modified by others subsequently issued; and being thus differently circumstanced, there were in each of these Unions different sets of orders to be revoked or modified; and thus the order for each Union was found to require its separate consideration, independently of the varieties of material circumstances, such as the existence in some Unions of a class of officers or assistants not existing in others. The order was therefore issued only to such Unions and parishes as appeared more peculiarly to require it, or better prepared for it than others.

As this is an instance in which we originally contemplated the issue of a general rule, and with that view forwarded a draft to the Secretary of State for the Home Department, we conceive it to be peculiarly illustrative of the difficulty of devising general rules.

In administering the law applicable to 14,400 relieving districts, and upwards of 580 Unions, it will often occur, that on the same day particular orders, identical in form and matter, (with mere exceptions of names,) will be issued to several places. This is rendered inevitable by a great variety of circumstances, wholly independent of any combined or systematic operation of the order. Orders applied for from many parishes or Unions are delayed until they can be drawn or settled, or printed. These latter operations,

and not the decision of the Commissioners, mechanically determine the day of issue of such orders, which, when prepared, are forthwith issued to the respective districts as of course. In like manner many particular orders required by a multitude of separate districts are often reserved for the consideration and report of Assistant Commissioners, which being obtained, all such particular orders immediately issue. But the largest effect produced of the kind is that arising from the recurrence of the different divisions of the parochial year: for instance, nearly all elections and appointments take place with reference to Lady-day, as in a great measure do the contracts and the audit of the annual accounts; others occur at smaller but fixed intervals, as with respect to the four quarters of the year. All these recurrent periods necessitate the issue to different places of a great mass of orders similar or identical in their purport, nowise governed, however, by any systematic or general view, but determined by each emergency, and quite incapable, however multiplied the occasion, of being dealt with by general rules.

The impossibility of acting in such emergencies by general rules appears to be of itself sufficient evidence of the legal inapplicability of the provisions for general rules to these occasions. And the criterion of general rules (namely of being “addressed by the Commissioners to more than one Union, or to more parishes and places than one not forming an Union”) appears clearly to indicate, as the test of a general rule, the contemplation by the Commissioners of the order *eodem intuitu*, as applicable on a larger scale than to a particular Union, and not its contemplation as applicable to several individual places independently and in succession. The fortuitous and unintentional issue on the same day of a multitude of similar orders operating upon Unions and places wholly unconnected, the circumstances of each requiring and having had its separate consideration, would therefore no more constitute such orders general rules, than a multitude of orders of removal by justices, or of convictions, or of writs or other processes for which fixed forms are used, exactly identical in everything except the names and places, could be considered general orders of removal, or general convictions, or writs, &c.

Considering the extent to which important differences still prevail in different Unions, and the time which must elapse before such differences can be effaced, we entertain but slight hopes of being able, within a short time, to avail ourselves of the provisions authorizing us to operate upon more systematic views by means of general rules. We apprehend that it will still remain our duty to proceed in the more cautious, although less rapid and decisive course of dealing with each Union according to its peculiar condition, availing ourselves of occasions as they successively arise, to introduce a similarity of practice by means of orders as uniform in their operation as the circumstances will permit.

We have always considered it desirable to avail ourselves of every opportunity of giving publicity to our orders, and more particularly to those which were of such importance as to be likely to have eventually an extensive operation. We have availed ourselves of such of these opportunities as have been afforded by our annual Reports, in the Appendices of which will be found copies of such orders; and have also circulated, amongst Boards of Guardians, many drafts or copies of important orders, applications for which were thus suggested and encouraged. We are desirous of adopting any arrangements tending to give increased publicity to our orders, and avail ourselves of the observation of the Committee as an occasion for offering to your Lordship the suggestion that the provisions of the Act which require that general rules should be laid before the Secretary of State and Parliament should be extended to all orders whatever, and that the object of such extension would be most effectually obtained by returning such orders to Parliament every month, as well as at the commencement of the session.

This suggestion, however, is founded on the assumption that the distinction between general rules and other orders, which is made by the Poor Law Amendment Act, remains unchanged; and consequently, that the Commissioners will not, in ordinary cases, be able to operate by means of general rules.

But if a larger and different definition were affixed to the term "General Rules," it would be possible to secure to the ordinary regulations of the Commissioners the same superintendence, by means of Her Majesty in Council, and the same modes of promulgation and report to Parliament as now apply to the very limited class of regulations coming within the present definition of "General Rules." There are, in fact, large classes of orders issued which, but for the definition in the Act, would be properly called general rules; while another numerous class operate only on one particular occasion, after which their effect is at an end.

We conceive that orders which operate upon whole classes of persons, and upon an indefinite series of cases, and which therefore lay down a general rule of conduct, whether in a single parish or Union, or in several, (such as orders to administer only relief in kind, or in the workhouse, to all able-bodied men, or prescribing the discipline of the workhouse to be observed by all officers and all the inmates, or orders prescribing for all cases, or indefinitely, the mode of election of guardians, or of appointment of officers,) would be properly characterized as general rules. Orders operating widely and extensively, and involving a frequent repetition of their effect, are usually important in proportion to the generality of their operation; and therefore justify the application of every reasonable restriction upon their framers. Such orders, too, do not in general require to become immediately operative, since they do not arise out of any sudden or temporary

emergency. Being intended for permanent operation, the great multitude of future cases will far exceed in number and importance, the few which can arise in the interval of 40 days of delay.

We therefore do not see that any great disadvantage to the public service would be caused by rendering such orders liable to provisions similar to those now applicable only to general rules.

But in doing this it would be necessary to render the obligatory part of a rule once presented to the Secretary of State, and allowed or acquiesced in by Her Majesty in Council, applicable without further delay to all parishes and Unions; for many of the Commissioners' orders, having the general effect described, require to be issued in connexion with certain contingencies. For instance, when an Union is formed or a parish is added to a Union, it becomes necessary, in a less interval than 40 days, to direct the mode in which elections of guardians are to be conducted, and to prescribe the regulations and mode of relief to be forthwith adopted in the Union or its workhouses. If before any such rule could operate an interval of 40 days must elapse, either there would be an interregnum of 40 days after the declaration of the Union, or an equal interval of 40 days of want of regulation of the workhouse and of the relief, or else the Commissioners must postpone the declaration of the Union or the addition of the parish, or other incident upon which the necessity of the regulation follows, where it may be in the power of the Commissioners to defer the incident.

We therefore conceive, that the obligatory part of any regulation which has once passed the Privy Council as a general rule, should be thenceforth applicable to every parish or Union, or any number of either, as the Commissioners may see occasion to apply it. By this means the principle of every rule of general application would obtain the like sanction as general rules, and, on the other hand, no impediment would exist to the prompt application of the rule to every case in which the progress of events, or the urgency of the circumstances, would require immediate action.

According to this suggestion, every rule of the Commissioners applicable to a succession of similar cases would be considered a general rule; but any such rule, once in operation, might in future be applied as an ordinary rule, order, or regulation.

When a general rule had once been sanctioned by the competent authority, its future application to particular parishes and Unions would thus be subject to no more restriction or delay than it is at present; but it would be, as we conceive, an indisputable improvement if, after being once so sanctioned, a less period of delay than 14 days were in some cases required. Many occasions of useful action by particular rules are now lost by this delay, and many inconveniences arise from this cause. In cases where the facts requiring the order are notorious, and the immediate operation of the order could do no harm and a great service, the delay is still unavoidable; thus, in the case of irregularity in

the election of guardians, while no guardians can act, an interval must elapse during which the facts are to be ascertained by the Commissioners, perhaps by repeated correspondence, the order then to be prepared, and after its transmission to lie without operation 14 days. So in the cases of any accident to the workhouse requiring prompt relaxation or modification of the existing rules, the dismissal of officers whose gross misconduct has been established by indisputable evidence, and every other casualty unexpected when a rule was issued, requiring prompt action which in such cases could not be attended with inconvenience.

We would therefore recommend, especially in case the large class of orders above described be rendered subject to the provisions for general rules, that such rules, and all orders operating in a single case and then expiring, should begin to operate at the time named by the Commissioners in the body of such rules and orders, which time would be more or less distant from the date of the instrument, according to the distance of the district, and the other circumstances of the case. We would also recommend, that all orders merely suspending any general or particular order (which suspending orders are of the class of orders dependent upon temporary influences), and all orders for the mere correction of clerical errors or errors in the description of places and persons, or otherwise for correcting an order, so as to render it conformable in its effect to the intention with which it was issued, should operate immediately upon their receipt. The necessity of such a provision as we have just recommended is so apparent as not to require any arguments for its justification.

The second suggestion of the Committee for controlling the powers of the Commissioners is, that a list of all officers who may have been dismissed by the Commissioners should be laid before Parliament, either in their annual Report or in some other form.

This recommendation could be easily complied with; and we could, moreover, without any difficulty, state in each case the reasons which determined the dismissal. But we beg leave to suggest that even at present we sometimes perceive a disposition to protect paid officers against dismissal where their misconduct is quite apparent; and we fear that, if the pains of dismissal were augmented by an annual return to Parliament, guardians and other persons on the spot would be deterred from coming forward to denounce the malversations of the Union officers. If a list of officers dismissed by the Poor Law Commissioners were annually presented to the Secretary of State for the Home Department, some additional check upon the proceedings of the Commissioners would be obtained.

II. Having considered the powers of the Commissioners,—the authority by which the general administration of the law is super-

intended and directed,—we proceed to consider the constitution and election of the Boards of Guardians,—the authority by which the dispensation of relief and the detailed management of the system are conducted.

One of the most important principles introduced by the Poor Law Amendment Act in the administrative machinery of the Poor Laws was the establishment of Boards of Guardians, by which members of the upper and middle classes act together, as a body, in the dispensation of relief. Previously, relief had been in the first instance dispensed by overseers, whose acts were subject to the control and revision of individual magistrates. The Boards of Guardians, on the other hand, consist of the resident magistrates of the Union, and of elected members, who are usually farmers in the rural districts, and shopkeepers in the towns. This important administrative innovation has, on the whole, been eminently successful. Considering the large numbers of some of the Boards of Guardians (which sometimes consist of as many as seventy or eighty members), the variety of interests which they represent, and the great practical difficulty of many of the questions which come before them, the harmony and efficiency of their proceedings are remarkable. To the improvement which has taken place in their mode of transacting business, and to the regular and correct manner in which it is, for the most part, despatched, we can bear testimony; and the constant correspondence maintained by us with the Boards of Guardians enables us to express a confident opinion on this subject.

We may, moreover, remark that very few instances of inconvenience or difficulty have arisen from the regulations issued by us for conducting the proceedings of the Boards of Guardians. (See First Annual Report, 1835, Appendix A, No. 6.) An attempt has been made in some instances to suffer reporters to newspapers, or the public indiscriminately, to be present during the proceedings of Boards of Guardians. We can see no reason why the Boards of Guardians should form an exception to the established usage in this and other countries, that the public shall be excluded from the deliberations of administrative bodies; and we have stated our reasons for entertaining this opinion in a letter to the Lambeth Board of Guardians, printed in Appendix C. to our Second Annual Report, 1836.

The only suggestion which we have to offer for the amendment of the law respecting the constitution of Boards of Guardians is, that overseers shall be declared to be ineligible to the office of guardian.

This may not amount to the introduction of any new principle, but simply to a declaration of the effect of the law. It is doubtful whether overseers are now eligible as guardians. The two offices are, so far as the administration of relief is concerned, precisely in the relation of controlling and subject offices. The overseers are

required to obey the guardians under penalties to be inflicted for disobedience, and the guardians have express power to give orders to the overseers.* There appears a clear inconsistency in the same person in one office giving directions to himself, and subjecting himself to penalties in another; and the two offices would, as we are advised, be clearly incompatible in the same person, were it not for a doubt arising from the fact that a guardian cannot individually give any order, and that all directions of the guardians must be given by a Board, at which three persons must be present and concur.†

This reason for doubt existing, it has been considered proper to incline in favour of the right of choice by the constituency, and overseers have therefore been considered eligible as guardians, and many have been elected.

There are, however, very conspicuous inconveniences and anomalies arising out of this course. It modified considerably the position of different parishes in a Union; some having the same person for both overseer and guardian; others having the benefit of the subordination of these officers generally contemplated by the law. When the overseer is a member of the Board of Guardians, the effective control over him in his capacity of overseer is greatly diminished by his being enabled to deliberate and vote in his own case on the instructions to be given to him, and the responsibility to be enforced of him. The effect is a practical accumulation of powers in overseers, and both a diminished responsibility in those officers, and less efficiency in the members of the Board of Guardians,

The principal evil has hitherto been observed in the elections, in which overseers, being candidates for the office of guardian, are frequently accused, and are sometimes guilty, of partiality in the admission of the claims and votes of the constituents, and in the general conduct of the election. Another striking evil is found in the difficulty with which contributions are enforced from the parishes whose overseers are members of the Board of Guardians.

It therefore appears to us to be expedient that overseers should be declared ineligible to the office of guardian.

The only possibility of inconvenience from this declaration would be, that in some of the places too small or too little populous to provide both overseers and guardians, the latter office may be unfilled, and the parish may, therefore, be unrepresented at the Board of Guardians. This inconvenience, however, can be partly provided against under the present law, which enables a parish to elect as its guardian any person, whether a rate-payer of the parish or not, so that he be qualified in any place within the Union. The most effectual remedy, however, for this inconvenience (which can only arise in very small places which are now represented at the Board by the appointment of a guardian

* §§ 95, 54.

† § 38.

for each such place) will be found in the provision recommended by the Committee, for enabling the Commissioners to combine a certain number of such places for the election jointly of one or more guardians.

The clauses in the Poor Law Amendment Act respecting the election of guardians (ss. 38, 40), and the regulations which the Commissioners have founded upon them, have, on the whole, worked well, considering the close scrutiny and the severe trial to which all laws for the conduct of elections are exposed. If there be any flaw in such a law, it is sure to be detected; and if there be any opportunity for abuse, advantage is sure to be taken of it to the utmost.

Numerous questions have arisen on the construction of the election clauses in the Act, and of our regulations founded thereon. The questions which have been found most embarrassing, and incapable in many cases of an equitable solution, are those which have regarded the qualification of voters by the payment of rates, the qualification of joint owners and joint occupiers, and the distinction between matter of substance and matter of form in the various notices and writings requisite for the election. But when it is considered that each of the 580 Boards of Guardians is annually elected, it is manifest that many such questions must arise under any law, however carefully framed.

The experience of the elections which have taken place enables us, however, to offer a few suggestions for guarding against abuses in the election of guardians, and for otherwise improving the mode of conducting it. We will proceed to state these suggestions as shortly as is consistent with clearness.

1. By the 40th section of the Poor Law Amendment Act it is provided, that “no person shall be deemed a rate-payer, or be entitled to vote, or to do any other act, matter, or thing as such, under the provisions of this Act, unless *he shall have paid the parochial rates and assessments made and assessed upon him for the period of one whole year*, as well as those due from him at the time of so voting or acting, except such as shall have been made or become due within the six months immediately preceding such acting or voting.” A difficulty has arisen in practice respecting the extent of the terms “parochial rates and assessments” in the provision just cited. It is manifest that they comprehend other rates than the poor-rate; but it is not manifest *which* of such other rates they comprehend. For example, they certainly comprehend church-rates, and probably comprehend highway-rates; whether they comprehend other rates, such as burial-ground rates, watching, lighting, and paving rates, and parochial rates of a local character, for the repair of wharfs, bridges, &c., is doubtful. A literal construction of the terms “parochial rates and assessments” in the clause just cited would in some cases have led to a very extensive disfranchisement of

rate-payers. Conceiving that extensive disfranchisements, on such grounds as these, were not contemplated by Parliament, we have inclined to adopt a construction as favourable to the franchise as the terms of the Act would permit. We think, however, that the words are of inconveniently wide signification; and we recommend that a payment of poor-rates alone, in the manner prescribed by the Act, shall be held to qualify a rate-payer to vote in the election of guardians.

2. By the 40th section of the Act it is provided, that “it shall be lawful for any owner, from time to time, by writing under his hand, to appoint any person to vote as his proxy; and every such appointment shall remain in force until revoked or recalled by such owner.” The ground of allowing *owners* to vote by proxy was that they are likely to be non-resident, which of course cannot be the case to any great extent with *occupiers*. The power given by the provision just cited is liable to the abuse, that any number of proxies may be accumulated in the hands of a single person; and if any person obtains a large number of them, he exercises an undue influence upon the election. For example, we have been informed that one person at the election of guardians for the parish of Chelsea, in 1838, held 833 proxies; and that the candidate who stood at the head of the poll, and for whom all these proxies were given, had only 1,138 votes. The abuse in question is further facilitated by the procuration being unlimited in time; so that an absentee owner may almost lose sight of his vote. Since the powers of voting by proxy are given expressly by the Poor Law Amendment Act, they cannot be restrained by the Commissioners; we therefore recommend that the provision in question be amended by limiting the number of proxies to be holden by any one person to four, and by limiting the time for which a procuration shall be valid to two years. This limitation of the number of proxies to be holden by one person would be, we believe, in analogy with the rule which obtains respecting proxies in the House of Lords. If it should be thought inconvenient to make any express limitation by Act of Parliament, the voting by proxy might be declared to be subject to the regulations of the Commissioners.

3. It is likewise expedient that the Poor Law Commissioners should have a power of dividing parishes and townships into wards for the election of guardians.* This power would be particularly applicable to populous parishes situated in large towns; and it would introduce a mode of voting similar to that prescribed by the Municipal Corporations Act. The Committee of the House of Commons recommend that the Commissioners should be invested with this power, for reasons which are stated in the evidence taken by the Committee, and which we will shortly recapitulate. From the evidence of Mr. Power,† our Assistant Com-

* Q. 3536—41.

† See Second Annual Report, p. 13, 8vo. ed.

missioner, and Mr. Matthew Johuson,* formerly one of the guardians of the poor at Leeds, it appears that, where the population is dense, elections of guardians are carried on more cheaply and expeditiously, and with less danger of confusion and error, if the votes are taken by small districts, than if they are given for the entire parish. From the evidence of Mr. Hickson,† one of the guardians of the West London Union, it further appears that the system of voting simultaneously, for a large number of candidates whose names are circulated in a list, produces party elections, prevents a discriminating choice on the part of the voter, founded on personal knowledge, and causes the interests of minorities or peculiar localities to be represented imperfectly or not at all. To these reasons it may be added, that where persons representing different constituencies meet in one body, each constituency has a powerful inducement to select discreet and respectable men, whose opinions and characters are likely to produce a favourable impression upon their colleagues. But where the whole of a body is elected by a single constituency, the predominant party is apt to run into extremes, and to disregard the character and moral worth of the candidates, knowing that the persons elected will all be agreed in their opinions.

It is further recommended by the Committee, that “the Commissioners should have the power of altering the number of guardians, from time to time, as the proportions of population in the different parishes in the Union may vary; and that, in the case of very small parishes being contiguous, one guardian should be allowed to serve for more than one parish” (p. 37). The power here adverted to would be peculiarly applicable to some of the Unions in the northern counties, where the townships, and not the parishes, usually relieve their poor, and where consequently, according to the present law, the guardians are usually returned by townships and not by parishes. On this subject we beg leave to refer your Lordship to a Report by Sir John Walsham, inserted in the Appendix B, No. 3.

4. The resignation of an elected guardian is alluded to in s. 38 of the Poor Law Amendment Act; but no mode or form of resignation is pointed out in the Act. Since the office is unpaid, a doubt has been entertained whether it is competent to a guardian to resign, or whether the office is not compulsory, like that of overseer or constable. We have on many occasions accepted the resignations of guardians; but we think it desirable that a power of resigning, with the consent of the Poor Law Commissioners, should be given expressly to the elected guardians.

5. A power of ordering a new election, in the event of the death, resignation, or other disqualification of a guardian, or in the event of the irregularity of an election, has, from the necessity of the case, been exercised by the Commissioners, but without any

* Q. 4171, 72.

† Q. 13,131—13,180.

express statutory authority. In order to obviate any doubt on this head, we recommend that the first part of sect. 25 of the Irish Poor Relief Act be extended to England.

6. It sometimes happens at present that a dispute arises respecting a person's title to act as an elected or an *ex officio* guardian. The Court of Queen's Bench has decided that it will not issue a writ of *quo warranto* to try the title of a guardian of the poor; and consequently, the only means by which such a question can now be brought to trial is for the guardians to turn the person out of their board-room, and for him to bring an action against them. In order to avoid the inconvenience caused by this circuitous proceeding, we propose that the Poor Law Commissioners should be empowered to determine every dispute of this nature by issuing an order under their hands and seal; and that this order should be liable to be brought before the Court of Queen's Bench by *certiorari*. We do not anticipate any serious objection to this arrangement, since it would furnish an immediate and inexpensive means of making a provisional settlement of the dispute, and would at the same time facilitate the legal remedy of the parties if either should wish to obtain the decision of the Queen's Bench upon the question.

7. We likewise recommend the 30th sect. of the Irish Act (which provides that the acts of the Board of Guardians shall not be vitiated by any irregularity in the election of an individual Guardian) shall be extended to England.

With respect to conferring on the Commissioners a power of modifying the constituent parts of existing Unions, we will extract the recommendations of the Committee of the House of Commons:—

“ Your Committee have observed that several petitions complain of the too great size of Unions, and in some instances of the selection of the parishes of which the Unions have been formed. . . . It may have happened that, in the first arrangement of so great a proportion of the country into Unions, some may have been too large, and others, perhaps, too small; and in some instances parishes may have been attached to one Union which would have been more conveniently placed in another. To remedy this state of things, your Committee are of opinion that it would be desirable to give to the Commissioners a power to reconstruct the Unions where the inconveniences referred to may be found to exist. At present they can only do so with the consent of two-thirds of the guardians of all the Unions affected by the change. But your Committee recommend that the Commissioners should have the power referred to, subject to this condition, that no parish should be taken from or added to a Union without its consent, expressed by its guardian. Some pecuniary interests of the parish which may be transferred would remain to be adjusted, and your Committee think this may be safely left to the guardian of the parish, whose consent is to be a necessary condition of the transfer, and to the superintendence of the Commissioners, who can have none but a public

interest in the question. In all cases where it may be thought proper to alter the size of the Union, your Committee recommend that especial consideration be had to the easy access of the poor, and to the good attendance of the guardians at the Board; these conditions being in their opinion of essential and paramount importance.”—p. 34, 35.

We may here remark that if the power of modifying existing Unions, which is recommended by the Committee, were conferred upon the Commissioners, we should think it our duty to use such a power with the utmost caution, and to abstain from altering the component parts of existing Unions without very cogent reasons.

The Committee likewise recommend that the Commissioners should receive a power of dissolving the Gilbert Incorporations, and of abrogating the powers created by local Acts for the relief of the poor. We are not prepared at present to report to your Lordship on the latter subject; but, for the reasons stated in our Second, Third, and Fourth Annual Reports (1836, 1837, and 1838), we strongly recommend that the impediment to the formation of Unions, which is created by the Gilbert Incorporations, may be removed as soon as possible.

III. The fundamental principle with respect to the legal relief of the poor is, that the condition of the pauper ought to be, on the whole, less eligible than that of the independent labourer. The equity and expediency of this principle are equally obvious. Unless the condition of the pauper is on the whole less eligible than that of the independent labourer, the law destroys the strongest motives to good conduct, steady industry, providence, and frugality among the labouring classes; and induces persons, by idleness or imposture, to throw themselves upon the poor-rates for support. But if the independent labourer sees that a recurrence to the poor-rates will, while it protects him against destitution, place him in a less eligible position than that which he can attain to by his own industry, he is left to the undisturbed influence of all those motives which prompt mankind to exertion, forethought, and self-denial. On the other hand, the pauper has no just ground for complaint, if, at the same time that his physical wants are amply provided for, his condition should be less eligible than that of the poorest class of those who contribute to his support.

The truth of this principle has either been generally admitted, or, at least, has not been disputed; but the difficulty has consisted in applying it in practice.

All distribution of relief in money or goods, to be spent or consumed by the pauper in his own house, is inconsistent with the principle in question. Money or goods given to paupers to be spent or consumed by themselves, as they may think proper, is in general more acceptable than an equal value earned as wages;

inasmuch as it is unaccompanied by the painful condition of labour.

Supposing, again, that the persons charged with the duty of relieving the poor relieve them with money or goods at their own houses, but attempt to exact some labour in return, this mode of relief is found to be equally inconsistent with the principle in question. If the remuneration of the labourer is independent of his industry or good conduct; if the payment to him is considered not the wages of his labour, but the relief of his destitution; he is exempt from the motives which ordinarily operate upon the independent labourer; and his condition resembles that of a slave, whom his master is bound to maintain, but whom he cannot punish for idleness or misconduct. Moreover, the administrators of public relief have, in general, no means of finding profitable employment for labourers in agriculture, or other occupation in the open air. Accordingly, the gravel-pit, to which the overseers used to send able-bodied paupers under the old system of poor-laws, was little more than a place in which the paupers assembled together in order to converse or pass the day in nearly total idleness.

In order, therefore, to carry the above-mentioned principle into effect, it is necessary that the pauper should be relieved, not by giving him money or goods to be spent or consumed in his own house, but by receiving him into a public establishment. But a public establishment, if properly arranged, necessarily secures to its inmates a larger amount of bodily comforts than is enjoyed by an ordinary independent labourer in his own dwelling. For example, an inmate of a well-appointed Union workhouse lives in rooms more spacious, better ventilated, and better warmed; his meals are better and more regularly served; he is more warmly clad; and he is better attended in sickness than if he were in his own cottage: moreover, all these benefits are supplied to him with perfect regularity, and without any forethought or anxiety on his part. Thus far, relief in a public establishment violates the principle above adverted to, and places the pauper in a more eligible condition than the independent labourer. And yet humanity demands that all the bodily wants of the inmates of a public establishment should be amply provided for. The only expedient, therefore, for accomplishing the end in view, which humanity permits, is to subject the pauper inmate of a public establishment to such a system of labour, discipline, and restraint, as shall be sufficient to outweigh, in his estimation, the advantages which he derives from the bodily comforts which he enjoys. This is the only mode, consistent with humanity, of rendering the condition of the pauper less eligible than that of the independent labourer; and upon this principle the English Union workhouses have been organized.

We proceed to explain the regulations which we have established

for the internal management of the workhouses under the Poor Law Amendment Act, and to show that all those regulations are necessary in order to carry into effect the principle which we have above explained.

The principle that relief should be so administered as to render the condition of those who receive it less desirable than the condition of those who maintain themselves without such aid, cannot be carried into effect unless those who control the administration of relief have the power of defining the condition of the receivers of relief. It is impossible to apply the principle to those who receive out-door or domiciliary relief, for their condition cannot always be ascertained or regulated, inasmuch as it is often impossible to discover what resources they have, or what aid they may receive in addition to the maintenance afforded to them from the poor-rates.

By means of the workhouse, however, and its regulations, it is in the power of the guardians and the Commissioners to place the condition of the pauper accurately at its level—to provide for all his wants effectually—and yet so as to make the relief thus afforded desirable to those only who are *bonâ-fide* in need of it. Throughout all the Unions in which we have established workhouses, this principle of the workhouse system is very well understood as respects the able-bodied labourers, and, with very few exceptions, the benefits which arise from its application are admitted and appreciated. With regard to the aged and infirm, however, there is a strong disposition on the part of a portion of the public so to modify the arrangements of these establishments, as to place them on the footing of *almshouses*. The consequences which would flow from this change have only to be pointed out to show its inexpediency and its danger. If the condition of the inmates of a workhouse were to be so regulated as to invite the aged and infirm of the labouring classes to take refuge in it, it would immediately be useless as a test between indigence and indolence or fraud—it would no longer operate as an inducement to the young and healthy to provide support for their later years, or as a stimulus to them, whilst they have the means, to support their aged parents and relatives. The frugality and forethought of a young labourer would be useless if he foresaw the certainty of a better asylum for his old age, than he could possibly provide by his own exertions; and the industrious efforts of a son to provide a maintenance for his parents in his own dwelling would be thrown away, and would cease to be called forth, if the almshouse of the district offered a refuge for their declining years, in which they might obtain comforts and indulgences which even the most successful of the labouring classes cannot always obtain by their own exertions.

If the views of those persons who desire the conversion of the workhouse into an almshouse were to be carried into effect, not

only would all the aged of the labouring class be maintained at the public expense, and the burdens of the community be thus enormously increased; but the habits of forethought and industry in the young, who, exerting themselves for their future benefit, find an immediate reward in the increase of their present welfare,—habits which, we rejoice to say, are daily developing themselves throughout the labouring portion of the community,—would be discouraged and finally extinguished.

The regulations which we have issued for the government of workhouses were framed by us under the strongest conviction of the correctness of the views which we have thus stated, and of the benefits which might be expected to flow from the workhouse system; and, supported by that conviction, and by a deep sense of the importance of the duties intrusted to us, we have hitherto maintained them, not only against the attacks of those who were inimical to the Poor Law Amendment Act, but, what has been a matter of more difficulty, against the gradual attempts of those who, although approving of the general principles of the workhouse system, have nevertheless sought to introduce injudicious relaxations in its details.

We shall take this occasion to offer upon these regulations a few observations which may possibly lead your Lordship to the conclusion that, if we have executed this part of our duty firmly and perseveringly, we have shown no disposition to neglect the comfort and well-being of the workhouse inmates, or to disregard the sympathies of those who interest themselves in their welfare.

If the rules we have issued for workhouses be examined, they will be found to consist of two classes of regulations: 1. Those which are necessary for the maintenance of good order in any building in which considerable numbers of persons of both sexes and of different ages reside: 2. Those which are necessary, not for that purpose, but in order that these establishments may not be almshouses, but workhouses in the proper meaning of the term, and may produce the results which the Legislature intended.

By far the greater part of the regulations belong to the first of these classes.

The separation of the sexes, as contradistinguished from the separation of families, appears to be imperatively called for on grounds of decency and morality.

The separation of the aged and infirm from the able-bodied, and the latter from the young; the providing a nursery for the infants, with every facility of access on the part of the mothers, and a school for those who are capable of receiving instruction; the regularity of hours and of meals; the maintenance of cleanliness, order, and decorum; the provisions for the medical attendance and religious instruction of the inmates of the workhouse; and the duties enjoined on the various officers to secure these objects; must be deemed by all to be arrangements essential for

the physical and moral well-being of the large assemblage of families dwelling in the Workhouse, whatever may be the other objects for which the Workhouse has been constituted.

The few regulations which belong to the second class above adverted to, and which may be considered as essentially Workhouse regulations, are comprehended under the following heads:—

1. Those regulations which require work to be performed by the inmates who are capable of labour.

2. Those which relate to the dietary.

3. Those which restrict the going out of the Workhouse, or the admission of strangers therein.

4. Such of the arrangements for classification as tend to the separation of members of the same family.

As to the first of these subjects—the labour to be performed in the Workhouse:—the justice and expediency of requiring it are so universally acknowledged, that we deem it unnecessary to say more than that we have endeavoured to devise such modes of employment as shall interfere in the least with the field of industry open to the independent labourer.

To the three latter subjects, however, we wish to call your Lordship's special attention, for it is these prohibitions and restrictions which have been held up to the public as odious and tyrannical, and have led those who opposed the law to stigmatise the Workhouse as a bastille, and the dietary as a slow process of starvation. We shall, therefore, briefly place before your Lordship what we have done, and propose to do, in reference to those points as regards all the different classes in the Workhouse.

The dietaries which we have proposed or permitted have, as your Lordship is aware, been framed with the intention of giving to the inmates of the Workhouse an adequate supply of wholesome food, not superior in quantity or quality to that which the labouring classes in the respective neighbourhoods provide for themselves.

Profiting by the experience derived from the best managed Workhouses existing previously to the Poor Law Amendment Act, we framed six different dietaries,*—and transmitted them, not authoritatively but suggestively, to the several Boards of Guardians, who either adopted one of them, or made such additions or modifications as the circumstances of the district, or the habits of the population might require.

We have usually acquiesced in the proposed additions or modifications, and we have, moreover, promptly sanctioned any change which the state of the health of the inmates, or of any class of them, might, in the opinion of the Guardians and their medical officers, require.

The subjoined table of the quantity of food given to a man and his wife and five children, according to the least of the scales of

* See Second Annual Report, App. A., No. 7.

dietary, and its weekly cost, at present prices, will, we trust, relieve us from the necessity of entering into a vindication of its sufficiency, although it may possibly expose us to a charge of a contrary nature, that we have provided for the pauper more amply than the hard-working labourer with a family could accomplish for himself by his own exertions.

ESTIMATED COST of Maintaining a Family consisting of a Man, his Wife, and five Children—three above the age of nine years—for one Week; supposing each member of the family to be dieted as in Table No. I., the children under nine years of age receiving only half the allowance of the mother.

	Men.	Women.	Children above Nine.	Children under Nine.		s.	d.
Bread . . .	84 oz.	70 oz.	210 oz.	70 oz.	434 oz. = 27 lbs. at 2d.	4	6
Meat . . .	15 "	15 "	45 "	15 "	90 " = 5½ lbs. at 5½d.	2	3¼
Cheese . . .	8 "	8 "	24 "	8 "	48 " = 3 lbs. at 5d.	1	3
Potatoes . .	1½ lb.	1½ lb.	4½ lb.	1½ lb.	9 lbs. at ¼d.	0	2¼
Suet Pudding .	14 "	12 "	36 "	12 "	74 " = 4½ lbs. at 2d.	0	9
Broth . . .	9 pints.	9 pints.	27 pints.	9 pints.	54	}	117 pts. at ¼d.
Gruel . . .	10½ "	10½ "	31½ "	10½ "	63		
						2	5¼
						11	7¾

Although we have studiously endeavoured to give the inmates of Workhouses an adequate supply of nutritious food, we have not been insensible to the danger which would result from the impression that they were better off, as respects food, than the independent poor; and we have endeavoured to prevent this impression, by excluding from the dietary everything in the nature of luxuries.

On this ground we have interdicted the use of beer in Workhouses, unless where its continuance has been in special cases considered requisite for the health of any individual inmates; and we have confined the use of tea to the aged and infirm.

With regard to the restraints upon going out of the Workhouse, there has been considerable exaggeration of their strictness.

As respects the children up to the age of 14, we enforce no further restrictions than are usual in schools; on the contrary, we have authorized, and in some cases introduced, such arrangements for the exercise and amusement of this class as may conduce to the preservation of their health, the development of their physical faculties, and the improvement of their morals.

As regards the aged and infirm, we permit and encourage employment or exercise in the garden of the Workhouse; or if the locality does not admit of this, then such exercise as may be necessary for the preservation of health. We allow leave of

absence to be granted by the Board of Guardians, on any reasonable cause or occasion, taking proper securities for the permission not being abused. We likewise authorize the Guardians to permit the visits of the paupers' friends on convenient occasions.

As regards the able-bodied, we sanction their being allowed to quit the Workhouse in search of work, and also in any case of particular emergency, such as the death or illness of a relative.

As to all these classes, when the opportunity arrives for their procuring the means of supporting themselves, the Workhouse door is open to them; and we have merely required three hours' notice to be given, in order that the master may make such arrangements as may be necessary, on re-delivering to them their clothes, and for making the necessary entries in the Workhouse books. The permission to go out to church, or to other places of worship, which is immediately connected with this subject, will be separately noticed in a subsequent part of this Report. We will only say here, that we should not deem ourselves justified in imposing any restrictions on this point, merely for the sake of rendering the Workhouse less attractive.

With respect to the admission of strangers into the Workhouse, we have made no detailed regulations, but have left the necessary restrictions to be imposed according to the discretion of the Guardians, having only guarded the general discipline of the Workhouse by directing that the visits to paupers should take place in a separate room, and in the presence of the master or matron. As connected with this branch of Workhouse discipline, we may mention, that our regulations authorize the guardians to take the measures necessary for preventing the introduction of spirits, wine, beer, and other articles of food, which, in addition to other obvious inconveniences, would take from them the control of the dietary of the inmates.

As regards the separation of families, it may, to a certain extent, be considered as belonging to the first class of regulations to which we have adverted, for it is obviously impossible to provide for the cohabitation of married couples in a public establishment, with any regard to decency, without giving a separate apartment to each couple;—an arrangement, the expense of which would preclude its adoption, and which would create other insurmountable difficulties as to order, discipline, and cleanliness in the Workhouse.

Admitting, however, for the sake of argument, that such separate apartments could be provided, the domicile thus afforded to indigent couples would change the character of the institution for these couples,—it would forthwith become an almshouse, in which not only food, clothing, medical and spiritual aid, but even the comfort of a separate home would be provided at the public expense. We trust that, after what we have already stated, it

is needless to dwell on the mischievous results which would inevitably follow from such a practice.

Respecting, as we do, the statements and motives of many of those who, from not understanding the real benevolence of the Workhouse system, have looked only to the condition of the inmates and their immediate comfort, without reference to the effect of that condition on the labouring classes in general, we have, nevertheless, been surprised at some of the objections which have been made to the separation of husband and wife in the Workhouse.

The language of Scripture has been borrowed in order to attack this consequence of the rules of classification, and has been most singularly misapplied. The text "*Whom God hath joined let no man put asunder,*" has been quoted, not only by political agitators, but by ministers of religion; and an attempt has been made to brand with the stigma of impiety those who are responsible for this part of the Workhouse system. It is hardly possible to conceive that those who have availed themselves of this passage could have been ignorant that it has not the remotest connexion with the subject to which it has been thus profanely applied, that it relates solely to the question of divorce and to the dissolution of the tie of marriage, and has no reference to the temporary separation of husband and wife, which the various incidents of human life often render necessary.

Those who have thus misapplied these words appear to have entirely overlooked the consequences to which such misapplication would lead them; that if there be impiety in the regulations for classification in a Workhouse, the penal laws of this country, which recognise not only the temporary separation but the permanent removal of a man from his wife, are liable to a similar charge; and that the arrangements in ships and in barracks, and the regulations not only of the best managed Workhouses previous to the passing of the Poor Law Amendment Act, but of all well-regulated public establishments of an eleemosynary character, both here and on the Continent, which almost invariably place the inmates of different sexes in different apartments, notwithstanding some of them may be married couples,—are in like manner contrary to the injunction which is derived from the sacred text thus erroneously interpreted.

We permit the Guardians, however, in special cases, to depart from the rule in favour of aged married couples, as will appear from the following regulation:*

"If for any special reason it shall at any time appear to the majority of the Board of Guardians to be desirable to suspend the above rule on behalf of any married couple, being paupers of the first and fourth classes, the Guardians shall be at liberty to agree to their having sleeping apartments to themselves, detached from the other paupers. Such resolution, and the reasons for which they deem the suspension

* See Workhouse Regulations, First Annual Report, App. A., No. 9.

of the order to be desirable, shall be duly entered in the minute book, and a copy of the same shall be transmitted to the Poor Law Commissioners for their consent and approval; without which the said resolution shall be of no effect."

The applications for this indulgence have been but few, which we attribute to the two following circumstances: 1. that in many cases of aged and infirm couples, it is found more conducive to their comfort that they should not sleep in the same apartment; and 2. that the total number of aged and infirm couples in Workhouses is very limited, inasmuch as such couples are usually relieved at their own homes.

The practical result of our regulations, so far as they relate to the separation of families, appears to be as follows:—

1. That we do not require or permit the separation of children under seven years old from their mothers.

2. That we do not require aged and infirm paupers to be relieved *only* in the workhouse.

3. That we permit the Guardians to allow aged and infirm couples to be together in any particular case in which such an exception can reasonably be required.

To these we must add the declaration of our intention to place upon a more definite footing the intercourse between parents and children, and the occasional communication of aged and infirm couples at reasonable times during the day.

The restriction, therefore, is for the most part confined to able-bodied inmates of the Workhouse, whose residence therein is so rare and brief, as to leave them no just ground of complaint that they are subjected to that privation of domestic intercourse for a short period, which the most diligent and enterprising of their class, and indeed of the higher classes also, willingly undergo to enable them to obtain the means of independent support.

We close our observations on this topic by stating,—that we shall carefully watch the feeling of the labouring classes on the subject of the Workhouse; that if we find from experience (contrary to our expectation) that the strictness of the present regulations is such as to deter those who are really destitute from applying for relief, until they have undergone privations so severe as to lead to injurious consequences, we shall make such modifications in the Workhouse rules as may be best calculated to prevent such a result; if, on the contrary, we shall find that the Workhouse becomes more attractive than a life of independent labour, we shall not shrink from the duty of placing such further restrictions on the inmates of these establishments as may appear necessary to avert, what might otherwise be apprehended, the failure of the Workhouse system.

An important set of questions has arisen in respect to the provision of religious assistance and instruction to the inmates of Workhouses.

The 19th section of the Poor Law Amendment Act provides that—

“No rules, orders, or regulations of the said Commissioners, nor any by-laws at present in force or to be hereafter made, shall oblige any inmate of any Workhouse to attend any religious service which may be celebrated in a mode contrary to the religious principles of such inmate, nor shall authorize the education of any child in such Workhouse in any religious creed other than that professed by the parents or surviving parent of such child, and to which such parents or parent shall object, or, in the case of an orphan, to which the godfather or godmother of such orphan shall so object.”

These provisions have been strictly complied with. No inmate of a Workhouse has, as far as we are aware, been obliged to attend any religious service without his consent, nor has any child in a Workhouse been educated in any creed to which his parents or other natural protector objected. The same section further provides that—

“It shall and may be lawful for any licensed minister of the religious persuasion of any inmate of such Workhouse, at all times in the day, on the request of such inmate, to visit such Workhouse for the purpose of affording religious assistance to such inmate, and also for the purpose of instructing his child or children in the principles of their religion.”

From these provisions it appears that whilst the Act contemplates the performance of divine service in Workhouses by chaplains of the Established Church, it protects the religious creed of each inmate, and excludes the possibility of the admission of clergymen, or ministers of any denomination, into Workhouses for the purpose of making converts.

The great majority of the inmates of Workhouses in England and Wales are members of the Established Church. Now, since it is desirable for the maintenance of due discipline that the able-bodied inmates should not go out of the house, since the aged, infirm, and sick are in general unable to do so, and since religious instruction ought to be provided for the children, we have recommended to the Boards of Guardians the appointment of a clergyman of the Established Church as Chaplain for the Workhouse, and our recommendation has in general been attended to. The conditions under which we have permitted the attendance of the inmates of Workhouses at divine service out of the Workhouse are stated in the Commissioners' Minutes of 12th March and 14th June, 1838, which are printed in the Appendix to their Fifth Annual Report.*

Doubts have been expressed by some Boards of Guardians whether the Poor Law Amendment Act confers any power of appointing Chaplains of Workhouses. The Commissioners have consulted the law officers of the Crown on the subject, and their opinion, together with the case on which it was founded, is in-

* Fifth Annual Report, App. A., Nos. 1 & 2.

serted in the Appendix to our Fifth Annual Report.* The law officers of the Crown are of opinion that the Act empowers the Boards of Guardians to appoint a Workhouse Chaplain, provided he be a clergyman of the Established Church. In order, however, to obviate any doubt, we recommend the enactment of a provision (similar to the 48th section of the Irish Poor Relief Act), authorizing the Commissioners to direct the Boards of Guardians to appoint a Chaplain of the Established Church.

A difficulty has arisen with respect to another religious service performed for paupers, viz., their burial.

The English law does not (as we are advised) define precisely on what persons the obligation to bury a dead body is incumbent. It is probable that the person who has the custody of a dead body, or the occupier of the house in which it is deposited, is bound to inter it; and it is moreover probable that he is bound to give it Christian burial. But, whatever the law may be, it has been the practice for the parish to bury all paupers, including casual paupers, at its expense. This practice is not, as far as we are aware, liable to any serious objection; but it is important that the liability of the parish to bury should be precisely determined. We therefore recommend that, where a poor person dies within his Union, he should be buried at the cost of his own parish; and that, where a poor person does not die within his Union, he should be buried at the cost of the parish from which, if a pauper, he was receiving relief at the time of his death, or, if not a pauper, in which he died.

A question has likewise arisen in many Unions respecting the liability of the parish to pay a fee to the clergyman for the burial of a pauper.† When consulted by Boards of Guardians, we have recommended that, wherever it has been customary to pay a fee for burials to the clergyman, such fee should be paid by the parish on the burial of the pauper. There does not, however, appear to be any express authority for the exaction of such a fee in the case of a person dying within the parish. It is highly inexpedient that disputes should arise between clergymen and the Union or parochial authorities on such a subject; and we recommend that the question should be settled by an enactment, either that every pauper shall be buried, without the payment of a fee, in the parish where he dies, or that a certain fee shall be paid to the clergyman on the burial of every pauper, whether he be buried in the parish in which he died, or not.

One of the most important subjects connected with the management of Workhouses is the training of the children who are reared in them; a duty expressly imposed on the Commissioners by the Poor Law Amendment Act, s. 15.

It is to be expected that a large proportion of the inmates of

* Fifth Annual Report, App. A, No. 3.

† Ibid, App. A, No. 5.

Workhouses should consist of orphans, and of bastards and other children deserted by their parents.

The following statement shows the number of adults and children in the Workhouses at Midsummer, 1838:—

	Quarter ended Midsummer, 1838.
Total number of children under 16 years in the Workhouses of 478 Unions	42,767
Total number of paupers above 16 years in the Workhouses of 478 Unions	54,743
	<hr/>
Total in-door paupers in 478 Unions	97,510

The number of children under two years of age in 478 Unions, as estimated from the number in the Unions in Cambridge and Essex, is 4,090. Consequently, the total number of children between 2 and 16 years of age, in 478 Unions, would, on the same ratio, be 38,677.

It further appears from the preceding statement that 42,767 out of 97,510, or nearly half of the entire number of the inmates of the Union Workhouses, are children under 16 years of age.

If all the parishes in England and Wales were under the Poor Law Amendment Act, the total number of children in the Workhouses would, as estimated from the numbers just stated, be as follows:—

Children under 16 years of age	64,570
Children between the ages of 2 and 16 years	56,835

The importance of securing a good religious, moral, and industrial education for the numerous children reared in the Workhouses induced us, at an early period of the Commission, to bestow a careful attention upon the subject. A full account of the measures adopted by us for the furtherance of improvements in the education of children in Workhouses will be found in our Fourth and Fifth Annual Reports (1838 and 1839), and in Dr. Kay's Reports appended to them.*

An investigation of the circumstances of the children in the several Workhouses, and of the means of affording them adequate instruction, soon convinced us that the instruction of pauper children must remain imperfect, so long as the pauper children of each Union are reared in the Workhouse belonging to the Union. The number of children of both sexes in each Workhouse rarely exceeds 50 or 60, and sometimes does not amount to more than 20 or 30. So small a number of children cannot be advantageously distributed into classes, for the purposes of instruction, nor are they of sufficient importance to induce the rate-payers to incur the expenses requisite for providing them with competent teachers. Moreover, the number of teachers is unnecessarily augmented, and the difficulty of procuring them increased, by es-

* Fourth Annual Report, App. B, No. 3; Fifth Annual Report, App. A, No. 4, and App. C, No. 1.

tablishing a school for pauper children in every Workhouse. The inspection of the schools for pauper children is likewise rendered much more difficult by the multiplication of their number which results from the present system.

These considerations (together with others to which we need not here advert) show the expediency of congregating pauper children into large bodies, for the purposes of education. Accordingly, the Committee of the House of Commons have recommended that the law should be amended so as to give facilities for the accomplishment of this object, as will appear from the following passage in their Report:—

“Your Committee, in commenting on the evidence of Mr. Hickson, have already adverted to his observations on the education of pauper children, and they have received much information from Dr. Kay on the same subject, to which he appears to have paid particular attention. Dr. Kay recommends the establishment of county or district schools, in which a good education should be given to the children, including, besides religious and moral instruction, a training in habits and pursuits of industry likely to be of use to them in after life. The children to whom this arrangement would especially apply are bastards and orphans, or deserted children, whose residence in the Workhouse is much more permanent than in the case of the children of able-bodied labourers. He describes the education in workhouses to be necessarily bad, in consequence of their occasional unavoidable intercourse with the other inmates of the establishment, the want of sufficient space, and the inferiority of the schoolmasters and schoolmistresses whose services can be commanded at the salary which each Workhouse can afford to pay. It is his opinion, that the children of the poor possess many advantages when brought up at home, in acquiring a skill in the common pursuits of industry, and a knowledge of domestic economy, which can hardly be taught successfully in the Workhouse. It would be his object to provide instruction of this nature. He mentions the schools of the Children’s Friend Society, at Hackney-wick, and at Chiswick, and Lady Noel Byron’s school, at Ealing, and some Scotch schools, as instances in which the experiment has been made with success. Dr. Kay expresses his belief, that if Unions were combined for the purpose of supporting county or district schools, a much more efficient system of instruction and training might be adopted, and at much less expense than attends the instruction now given in the workhouses. The saving of expense would arise from the reduced number of schoolmasters and schoolmistresses, and from a similar reduction in the provision of books, furniture, and implements of different descriptions, which would be necessary for one establishment, as compared with what would be required for many. Your Committee cannot doubt that the schools conducted on the principles described by Mr. Hickson and Dr. Kay would provide for those unfortunate objects of charity an education which would be to them of the greatest value; nor are they less convinced that it is both the duty and interest of the community to take all practicable means for giving to children thus left without any, or with little, natural protection, such an education as shall afford the best security for their becoming honest and useful members of society. They believe that the establishment of

district schools, under proper regulations, would tend to accomplish this object; and they are confirmed in this opinion, not merely by the considerations arising out of the evidence they have received, but by observing that a suggestion of the same nature had been made by the Committee on Poor Laws in 1817. The Committee have therefore no hesitation in recommending that the Commissioners be empowered, with the consent of the guardians, to combine parishes or Unions, for the support and management of district schools, and to regulate the distribution of the expenses of such establishments."—pp. 36, 37.

By enabling the Commissioners to form a combination of Unions for the joint education of the pauper children belonging to such Unions, under a common board of management, to be elected by the several Boards of Guardians so combined, the Legislature would provide the means of affording an efficient and economical training in industry, morality, and religion to the pauper children.

Several Boards of Guardians have addressed to us communications respecting the difficulties which exist under the present law respecting the education of the pauper children; and the Board of Guardians of the St. Albans Union has recently come to the following resolution:—

“That it is the opinion of this board, that no good system of industrial education can be effectually carried on where the number of the children is limited to those of a single Union; and that, in order to obtain the advantages of such an education as will give to the children habits of industry, and enable them to gain their livelihood in future, it is highly desirable that such children as are likely to be permanently chargeable should be sent from several Unions, and placed together in a central school for that purpose.”

The plan of congregating pauper children for purposes of education, which has been recommended by the Committee of the House of Commons, has, owing to an accident of legislation, been tried in the neighbourhood of London, and, under the superintendence of the Poor Law Commissioners, it has produced very beneficial results.

The 7th Geo. III., c. 39, provides that all pauper children under the age of six years, belonging to any of the 17 parishes without the walls of London, of the 23 parishes in Middlesex and Surrey, being within the bills of mortality and the liberty of the Tower of London, and of the 10 parishes within the city and liberty of Westminster, shall be sent into the country, to a distance not less than three miles from any part of the cities of London and Westminster, there to be nursed and maintained at the charge of their respective parishes.

The consequence of this enactment (combined with considerations of health and convenience) has been that the pauper children of the metropolitan parishes have been sent to large establishments in the neighbourhood of London, where they have been fed, clothed, maintained, and educated by persons who

have contracted with the parishes for these purposes. The system in question has been known by the name of "farming out the poor." The contractors for the maintenance of pauper children have, in many instances, taken contracts from several parishes at the same time, so that a single establishment has contained the pauper children of several parishes. One of the largest establishments of this kind is Mr. Aubin's at Norwood,* which now (December, 1839) contains 1093 children from four Unions, and four parishes under separate Boards of Guardians. A particular attention has been paid to this school by Dr. Kay, our Assistant Commissioner for the metropolitan district, and important improvements have been introduced into it, an account of which is given in Dr. Kay's Report of 1st May, 1839.† These improvements could not have been introduced if the large number of the children had not afforded the requisite facilities; and similar improvements might be introduced more extensively if the law permitted in the rest of the country that system of management for pauper children which has been established in the metropolitan parishes, in consequence of the enactment to which we have just adverted.

Before we quit the subject of the education of pauper children,

* Number of Children in the Norwood Establishment—

<i>City of London Union.</i>			
98 Parishes	{	Males	224
		Females	187
			411
<i>East London Union.</i>			
4 Parishes	{	Males	129
		Females	118
			247
<i>Eton Union.</i>			
1 Parish	{	Males	11
		Females	9
			20
<i>St. Saviour's Union, Southwark.</i>			
2 Parishes	{	Males	99
		Females	78
			177
<i>Parish of St. Giles, Camberwell.</i>			
1 Parish	{	Males	40
		Females	20
			60
<i>Parish of St. Olave, Southwark.</i>			
1 Parish	{	Males	6
		Females	6
			12
<i>Parish of St. James, Clerkenwell.</i>			
1 Parish	{	Males	52
		Females	27
			79
<i>Parish of St. Martin in the Fields.</i>			
1 Parish	{	Males	54
		Females	33
			87
			1093

Westow Hill, Norwood, 20th Dec. 1839.

† Fifth Annual Report, App. C., No. 1.

we may mention that the powers of the guardians for the custody of pauper children are not defined by any statutory enactment. Every adult pauper can at any time quit a workhouse, upon giving reasonable notice to the master; but it is manifest that the Guardians would not be justified in allowing children to leave the Workhouse and roam about without a protector. When consulted on the subject, we have expressed an opinion that the Guardians of the poor stand in the relation of natural Guardians to the children in the workhouse. In order, however, to prevent the existence of any doubt on this important point, we recommend that the Guardians of the poor should be declared to possess the powers, with respect to pauper children under the age of 16, having no natural or testamentary guardians, which are possessed at common law by a guardian for nurture.

The principle of forming combinations of Unions is properly applicable to other classes of paupers than children,—viz., to lunatics and idiots, blind, deaf and dumb, and the like. The provision for pauper lunatics is at present very defective in many parts of the country, and cannot be materially improved without a change in the existing law.* The existing law, however, is chiefly defective with respect to idiots and lunatics not dangerous. The number of non-dangerous lunatics who are chargeable to their parishes appears to be very considerable;† and since the expense of sending a pauper to a county lunatic asylum is in general large, and lunatics who are not dangerous do not absolutely require restraint, paupers of this class are either allowed to wander about the country in a miserable and disgusting state, or they are maintained in Workhouses, in which, however, there is no power of confining them against their will. Great advantage would therefore be derived from an enactment enabling Unions to combine for the purpose of maintaining non-dangerous idiots and lunatics, and empowering the Board of management to detain such persons so long as their mind remains unsound. It would likewise be highly expedient to enable parishes and Unions in the metropolis to combine for the purpose of maintaining disorderly or lewd women in separate Workhouses, where the discipline might be more strict than in an ordinary Workhouse, and where such abandoned women might be prevented from corrupting their more decent associates, whom misfortune may have reduced to pauperism. Communications on the latter subject have been addressed to us by some of the Metropolitan Boards of Guardians, which we annex in the Appendix.‡

It is indeed probable that the powers required for the combining of Unions for those purposes would be found to be already in existence. The 9 Geo. I. c. 7, enables the overseers of parishes, with the consent of the parishioners, to combine for the purpose

* See Mr. Gilbert's Report for Devon, Second Annual Report, App. B. No. 9.

† See Third Annual Report, App. C, No. 8.

‡ Appendix B, No. 7.

of obtaining Workhouses; and enables parishes having Workhouses to contract with others not having sufficient Workhouses for the maintenance of the poor of the latter: the effect of these provisions, combined with those of the Poor Law Amendment Act, appears to be to enable the Guardians of one Union having a sufficient house for the purpose of lodging and maintaining any class of poor, to contract with other Unions for the maintenance of the poor of the latter; the Guardians having, for the purposes of Unions, all the powers of contracting for the bedding and maintenance of the poor which were formerly possessed by the overseers and vestries for the use of parishes. But the difficulty which has been experienced by Guardians in asserting any powers not given to them by expressions the most direct and incapable of dispute, has been such in this and in many other cases, as to render it unadvisable for them to resort to provisions of this description. We therefore suggest that these powers should be clearly given to the Board of Guardians by a direct enactment, in which may be introduced detailed provisions for carrying the object into effect in a manner more perfectly adapted than those of the statute of George I. to the existing system of administration.

IV. Having stated the principles which we have followed in the dispensation of relief by means of Workhouses, we proceed to the subject of out-door relief, or relief administered to paupers not in a Workhouse.

The persons to whom out-door relief is given belong for the most part to one of the following classes:—

1. Aged and infirm persons wholly unable to work.
2. Persons not able-bodied, but who, from age or infirmity, are deemed unable to maintain themselves entirely.
3. Able-bodied persons.

With respect to persons of the first of these classes, the 27th section of the Poor Law Amendment Act enables two justices to require that out-door as contradistinguished from in-door relief, should be administered in any case where one of the justices is personally cognisant of the inability of the party. From the nature of this proviso, it would appear that the Legislature contemplated the issue of some regulations on our part, or the adoption of some rule on the part of Boards of Guardians, requiring the persons who are the objects of this proviso to receive relief only in the Workhouse. We have, however, in very few instances limited the discretion of the Guardians to giving out-door relief to this class of persons; and it is not our intention to issue any such rule in reference to this branch of relief, unless we shall see, in any particular Union or Unions, frauds or abuses imperatively calling for our interference.

With regard to the able-bodied, your Lordship is already aware that as the Workhouses in the several Unions have been completed, and as the general circumstances of the districts might permit, we have issued orders prohibiting out-door relief to able-bodied male paupers. This measure, and the gradual mode of its introduction, received the approbation of the Committee of the House of Commons, and we have therefore continued to adopt the like course during the present year. The counties to which the prohibition wholly or in part now extends are the following:— Bedford, Berks, Bucks, Cambridge, Chester, Derby, Devon, Dorset, Essex, Gloucester, Hereford, Herts, Huntingdon, Kent, Leicester, Lincoln, Middlesex, Monmouth, Norfolk, Northampton, Nottingham, Oxford, Salop, Somerset, Southampton, Stafford, Suffolk, Surrey, Sussex, Warwick, Wilts, Worcester, Anglesea, Brecon, Carmarthen, Denbigh, Flint, Glamorgan, Pembroke, Radnor. In these Unions, the allowance system, or relief in aid of wages, may be considered as almost totally extinguished, so far as respects able-bodied male paupers and their families. The only remains of it are to be found in certain irregular practices, to which, if they were not occasionally suggested by erroneous notions of humanity, we should give the appellation of fraudulent. We allude to attempts which have been made to re-establish this pernicious system through private subscriptions, by which funds have been raised to be doled out like the poor-rates in weekly allowances to all labourers having more than three or four children. The highway-rates also have been illegally resorted to for purposes of a like nature, as appears in the evidence before the Committee on the Highways Act.

The following extract from a Report by Mr. Parker, Assistant Commissioner, dated Oxford, October 12, 1839, will further illustrate this subject:—

“ With regard to the Unions in Gloucestershire and Warwickshire, there is nothing particularly calling for remark either for or against their management, except that there is a strong feeling, as indeed there is in Oxfordshire, in favour of out-relief. The ostensible reason assigned for this is sympathy, but the real reason (which is sometimes though rarely acknowledged) is a desire to keep down wages. Several of the Guardians advocate out-relief to large families (not from the poor-rates, but from subscriptions) at those seasons when employment is most scarce, or the necessities of the labourer most urgent. I have failed to convince them of the impolicy of their views, and it is not likely I should when we cannot agree upon premises. They will not admit that every labourer should be remunerated according to his labour, and I deny the policy of remunerating labourers according to the extent of their families.

“ The practice of raising funds to assist large families is so peculiarly injurious to the labouring class, that I cannot but deprecate it in the strongest manner—it has quite as injurious a tendency as out-door relief, and makes the labourer entirely dependent upon the caprice of

individuals. Subscriptions, where they are raised, are relied upon by the labouring classes as much as out-door relief was under the old system; and be the amount raised ever so small, if it be distributed to labourers with more in family than the current rate of wages (however low) will just enable them to support, the prospect of wages rising is effectually shut out. Whilst the heads of large families work for a few shillings a week, employers will refuse to the single man, whatever may be his ability, higher wages than those paid to the man with a large family. Five or six pounds in an agricultural parish may be so eked out, as to produce all the evils of out-relief: for if given to men with large families in small sums, at the most trying periods of the year, fearful of not receiving any portion of another subscription if they offend, such men will work for a bare subsistence for themselves and families.

“Various expedients to raise a fund to be distributed to large families have been resorted to, besides subscriptions and private rates; the constables rate, the highway rate, bastardy payments made before the passing of the Poor Law Amendment Act, and not expended, have all been applied to this object; and in Broadwall parish, in the Stow Union, recourse has been had to the pasturage on the road’s sides; the farmers of the parish agreeing amongst themselves that the highest bidder should be at liberty to feed his sheep upon the herbage growing on the sides of the highways, and that the money paid shall be given in the winter to labouring people with large families.”

These attempts show the strong tendency which still exists towards a recurrence to this abuse, and the necessity of constant vigilance in order to prevent it.

These attempts, however, are not the only symptoms of that tendency.

Your Lordship is doubtless aware that, towards the close of the last Session of Parliament, whilst the Bill for continuing the Poor Law Commission was under consideration in the House of Commons, a clause was introduced, but not ultimately carried, in the Committee, providing that the Guardians should have a discretion for relieving able-bodied labourers with large families, who were married before the passing of the Poor Law Amendment Act.

The probability that a similar clause may be again proposed, and our strong sense of the evils which would result from its adoption, make it incumbent on us to state to your Lordship, at some length, the mischievous consequences which would flow from a return to the system of giving out-door relief to labourers with large families.

1. It is, in the first place, very difficult to ascertain what is the actual amount of a labourer’s earnings; the mere weekly wages received by himself are seldom a proper criterion.

The rent at which he holds his cottage,—the value of the produce of his garden, or of his allotment, or of any right of common which he may enjoy;—the earnings of his wife and of the elder

children of his family;—the allowances made to him by the farmer in articles of food under the market-price;—all augment his resources, and frequently produce a total weekly supply much greater than the nominal rate of wages. These collateral resources are seldom admitted by the labourer, in enumerating his earnings; and, where there is a prospect of obtaining parochial relief in addition to them, are carefully and often fraudulently concealed. The only sure mode of ascertaining whether the total receipts of the labourer are really sufficient for the maintenance of himself and his family is to offer, in lieu of them, an adequate, but less legible, maintenance, which will not be accepted unless necessity requires it. This can be effected by the offer of the workhouse, and by that only.

2. If, however, it is difficult to ascertain the actual earnings of a labourer, it is far more difficult to estimate what would be his possible earnings if he were to turn his industry to the best account. There is hardly any case of application for relief on account of a numerous family, but an instance of a family similarly numerous may be produced, which is maintained without parish relief, and without any resources, beyond those of which the applicant might have availed himself. How can the Guardians satisfy themselves that the applicant might not, by the exercise of due diligence, render himself independent of relief? and, if he could have done so, and has not, why should he receive the indulgence (if it be one) of out-door relief?

3. Sharp and painful as is the stimulus of necessity to those who have large families, society derives no small benefit from its operation. The labourers with large families are, if left to their own resources, the class who set an example to their fellow-labourers, of industry, trustworthiness, frugality, and good management;—they are up early and late;—they seek for and obtain employment at task-work;—they are urgent to obtain and anxious to deserve high wages and the confidence of their employer, and the permanent engagements which result from that confidence;—they anxiously seek employment for their children, and endeavour to make them capable of it; and, if they cannot get them out, they try to make them useful in the cottage garden, or the plot of ground which they have been careful to secure for themselves, and to cultivate.

This class of labourers, from their being unable to afford to give their labour in return for wages less than sufficient to maintain themselves and their large families, may, in fact, be considered as indirectly, but most materially, assisting to raise the standard of industry for the whole labouring population, and perhaps indirectly to augment the rate of wages.

It is evident that the motives which tend to produce these desirable results are totally extinguished as soon as relief in aid

of wages is extended to this class. As soon as the Guardians decide that relief is to be given to a man on account of his large family, his maximum of earnings becomes immediately fixed. He knows that, if he earns more than the amount at which they have been estimated by the Guardians in fixing his relief, his relief will be proportionably diminished; his increased labour will no longer benefit himself, but will be a saving to the rate-payers. Far from desiring to earn more, it cannot but occur to him that, if he were to earn less, the diminution would be made up to him from the rates; and thus, instead of being in the foremost rank of labourers, with respect to the motives to industry and good conduct, he is placed almost in the condition of a serf, whose master furnishes him with the bare means of subsistence, but who cannot by any exertions hope to increase that allowance.

4. It is not, however, on the labourer only that the stimulus of a large family acts advantageously. His necessities operate not only on the sympathies but on the interests of his employer, in the way of inducement to furnish him with employment, to increase his wages, and generally to ameliorate his condition.

An employer can obviously trust more safely to the industry and honesty of a labourer who has that strong interest to preserve his situation which arises from his having a large family to maintain, than to an unencumbered person, who can leave his service without the slightest inconvenience.

The alternative of having to assist in maintaining the whole of a large family in the workhouse, is likewise a powerful motive to the employer to add to the earnings of the labourer by providing task-work; by giving employment to the children; by annexing a garden or an allotment to the labourer's cottage; and by various other aids which can be so easily rendered by the farmer's family to the family of the labourer.

It would be unjust, however, to omit to observe, that, in cases such as these, the benevolence of the employer ordinarily acts more powerfully than any calculation of his interest. So long as parochial relief does not wither up feelings of this nature, the condition of a labourer with a large family, struggling to preserve his independence, will not fail to act strongly on the sympathy both of his employer and his relatives, and in most cases to secure to him a greater amount of real assistance than could justly be provided out of a fund drawn from the compulsory contributions of the rate-payers.

Again, the practice of relieving labourers with large families produces on the employer an effect very similar to that which it produces on the labourer. Where is the motive for bettering the labourer's condition, when its only result will be to diminish to that extent the demand on the rates?

5. The evil, however, of giving relief to labourers with large families, is not confined to that class only, nor to a deterioration

in their condition, but extends to the whole of the labouring classes. In the first place, the principle of this kind of relief being once admitted, it is impossible to stop its application. What is a *large family*? Where wages are 12*s.* a-week, we have been often urged to sanction relief to a family of eight, seven, or even six children. If this be acceded to, it seems impossible to refuse relief where the average wages are 9*s.*, 8*s.*, or 7*s.*, to a family of four, or even three children.

The extension of the application of this pernicious principle would proportionally augment its unfavourable effects on the wages of the labouring classes. As soon as the employer found that the labourer was partly supported by the public, and partly by himself, he would endeavour, by all the means in his power, to obtain as much as possible of that support from the public, and to furnish as little as possible himself. The various abuses which resulted from relief in aid of wages before the passing of the Poor Law Amendment Act were only so many different forms of accomplishing this object; and the demoralization of the labourer was its inevitable and speedy result, and would again take place if the practice was re-introduced. It is in this way that the mixing up relief with wages tends to depress the wages of the labourer; it commences, in the first place, with those who are receiving relief, but soon extends itself to those who do not, until the whole class are reduced to a common level of inadequate remuneration.

Relief to labourers with large families, in aid of their earnings, has, moreover, the pernicious effect of confounding the distinction between independence and pauperism, which, for the real advantage of the labouring classes, cannot be too strongly marked. And here, too, we would observe, that whereas it is desirable to implant in the rising generation a great unwillingness to receive parochial assistance, there cannot be devised a method more likely to frustrate that object than to give out-relief in aid of wages to labourers with large families; for, although the amount distributed may not be very large, it is diffused over a wide surface, and, by tainting the most numerous families the habit of receiving and depending on parochial relief is taught and encouraged in a very large number of children, who, but for this relief, would probably have had the benefit of seeing in their parents the best possible example of frugality, industry, and independence.

It may seem extraordinary that, in spite of these powerful objections to the system of giving out-door relief to labourers with large families, there should still exist a disposition to return to it. The causes of this disposition appear to be two-fold; first, a fear of the expense of relieving large families in the workhouse; second, an incorrect estimate of the comparative condition of those families which are received in the Workhouse, and those which are relieved at their homes.

With regard to the expense, it is doubtless more expensive to relieve a whole family in the Workhouse than to give a small addition to its earnings; but, on the other hand, for one family which would avail itself of the offer of the Workhouse, there is a very great number which would decline such relief; so that the expenditure for the entire maintenance of the one family would amount only to a small part of the expenditure for the partial out-relief to the greater number.

With regard to the condition of those families which accept relief in the Workhouse, and which remain there, it is important to consider, not only the condition of the parents, but likewise that of the children. If the condition of the numerous family of the labourer who works hard for less than the cost of his and their subsistence, and, with all his exertion, is forced to resort to parochial aid to provide scanty fare and a miserable dwelling (which are the usual lot of persons thus circumstanced), be compared with the condition of a labourer and his family in the workhouse,—if it be considered that his numerous children are carefully lodged, healthily and adequately fed, warmly clothed, carefully attended to in the various diseases incidental to childhood, and, above all, provided with an education, religious, moral, and industrial, far beyond what their parents could provide out of their slender and inadequate resources,—the advantages which the workhouse confers on these children seem far to outweigh the evils which the restraints of the workhouse impose on their parents. We cannot but think the sum of happiness of the labourer and his family, in the house, is greater than when he is struggling for his daily food. If, therefore, those who, from the impulse of benevolent feelings, decide on the individual case brought before them, with reference to that case only, and not to the general welfare of the labouring classes, were to decide consistently with those feelings, they would, if they looked at the condition of the whole family, and not only at that of the parents, decide that, on the score of humanity, relief ought to be offered only in the Workhouse.

We may further observe, without wishing to undervalue the restraints and discipline of a workhouse (upon which its efficiency must entirely depend), that the condition, nevertheless, of the labourer himself who takes refuge therein is preferable to many of the employments,—disagreeable in their nature and unwholesome in their effect,—which are undertaken by large classes of persons, in order to obtain an independent livelihood, and to provide for their families in a much less abundant and satisfactory manner than that in which the families in the Workhouse are maintained.

We will remark, finally, in reference to out-relief of the able-bodied, that the reasonings of the persons who recommend a return to this system seem to involve the fundamental error, that it is possible, by a distribution of relief, to raise permanently the

rate of wages of a large class of labourers above the market rate. It appears to us that neither a legal minimum of wages and maximum of prices, nor such an interference between the manufacturer and operative as the chartists desire; nor, finally, allowances from the poor-rates to able-bodied labourers, according to a fixed scale of earnings and children, can permanently raise the real market rate of wages. The effect of such regulations is, not to increase the total receipts of the labourer, but to provide for a part of the payment which would naturally be made to him by the employer, from some other fund. Consequently, the attempt to raise the wages received by classes of labourers to a rate above the market rate, by means of legislative interferences such as those just described, is fruitless, and excites expectations which it does not realise.

Not only, however, does the law fail in improving the condition of able-bodied labourers, by giving them allowances from the poor-rates, but it renders their condition worse than it otherwise would be. Setting aside the conversion of men earning their subsistence by independent industry, to paupers dependent on the public bounty, the allowance system, as formerly practised in the eastern and southern counties of England, places the working classes at the mercy of their employers, and thus furnishes the latter with the means of depressing their wages. This effect is well understood throughout the east and south of England; and some of the disposition which has recently been shown to restore the allowance system, and which has been commonly attributed to sympathy with the labouring classes, arises from the very opposite motive.

The facility with which out-relief can be used as a substitute for wages, not a means of increasing them, is explained in the following extract from a report by Sir Edmund Head, dated 31st October, 1839:—

“ But, at any rate, it will be said that the *poor* are satisfied; they are better off, if the rate-payers suffer. That they are better satisfied than in Unions, where relief is more restricted, I much doubt; for my observation always leads me to the conclusion that the poor very quickly apprehend the grounds on which a Board of Guardians act, if these are general, and applied impartially; if they see that their neighbours, similarly situated with themselves, are similarly treated, they form their habits to their situation, and struggle by their own exertions to escape from the pressure of want. Where, however, no fixed system guides the Board,—where what is refused one day may be granted the next, importunity often will receive what is denied to real want,—every one trusts to his own good luck, or his own supposed friends, and, instead of exerting himself, either extorts by repeated applications what he fancies he is entitled to, or goes grumbling on in idleness over the hardship of repeated refusals. The greatest irritation among the poor is not that arising from absolute want, but from the feeling, well or ill founded, that they are worse treated than their neighbours.

“ To show the operation, however, in an individual case, of an inju-

ditions allowance to a party whose widowhood and whose family would form a *primâ facie* plea for out-door relief, I will venture to quote an instance which I can myself vouch for as correct in all its circumstances.

“Margaret Dobbs, of the parish of Walford, in the Ross Union, was the wife of a labourer who met with an accident in the Forest of Dean, and left her a widow with three small children, all under eight years. A magistrate in her neighbourhood, who had shown great kindness to her husband previous to his death, some short time afterwards engaged her as laundress to his own family. She received in this capacity 9s. a-week, a house and garden rent-free, together with coal and candle. On the revision of the lists by the Ross Board, this case was discussed, as Margaret Dobbs had been in receipt of relief, and the pay was stopped, the woman’s master at once saying that he had no idea she was receiving it, and, had he known it, should have mentioned it before. Margaret Dobbs, however, applied again, and said, it was impossible she could live on her wages only (equal at least to 14s. a-week, in a county where 12s. is high for an able-bodied man); for that she had to pay some one for looking after her children while she was herself washing. The chairman and many members of the Board urged the propriety of offering the Workhouse; but it was said, ‘if we push this poor woman too hard, we shall have to keep her and her children entirely.’ The result was that the woman persisted in her request for relief, actually refusing 10s. a-week from her master, who was willing to advance her wages to that amount. The out-door relief was voted by a majority of the Board.

“Now, if the magistrate who employed this woman had been an unprincipled person, willing to save his own pocket at the expense of the rate-payers, he might, in concert with her, have *lowered* her wages instead of offering to raise them, and advocated her cause at the Board of Guardians. As it was, he acted differently. Having failed to render her independent of relief, he at once most properly dismissed her, and she is now living on the world on a small parish allowance, and what she can get by jobbing at different houses. And thus the unaccountable humanity or economy of a portion of the Board of Guardians has succeeded in depriving Mrs. Dobbs of a good place and a certain maintenance. They have converted her from a respectable servant, earning her own living, into a pauper, guilty of gross ingratitude, and dependent, in all probability, henceforward on casual employment and parish pay. How far *she* has benefited by out-door relief, either physically or morally, it is now easy to determine.”

Nevertheless, it is not unfrequently assumed that the labouring classes generally suffered from the abandonment of the allowance system, and that they would be benefited by a return to it. This assumption is involved in the proposition for allowing relief in aid of wages to labourers married before the passing of the Poor Law Amendment Act; it being erroneously supposed that the sum total of their receipts will be increased by this mode of relief. A similar idea is involved in the argument, that the allowance system is necessitated by the existing duties on foreign corn. For, it is said, these duties, by raising the price of corn, virtually diminish the wages of the labourer, and, therefore, render it difficult for

him to dispense with assistance from the poor rates. But, it is to be observed, whatever difficulties the duties on foreign corn may oppose to the labourer who seeks to earn an independent subsistence, those difficulties will not be diminished by allowances in aid of wages, since it is certain that those allowances will not increase the total receipts of the class of labourers.

The preceding remarks seem to us to show the impossibility of raising the market rate of wages by Act of Parliament; and we earnestly hope that no declaration from any person, whose station gives authority to his opinion, and still less any legislative enactment, will sanction this pernicious delusion.

It appears to us, that the proper aim of a poor law is the relief of destitution, and that it ought to accomplish this purpose in such a manner as not to interfere with the natural relations of the employer and labourer. If it be confined to this comparatively humble, though, within its own limits, highly useful, function, it can accomplish its purpose; and can accomplish it without inflicting any incidental evil upon society. But if it seeks directly to regulate wages, and to raise the condition of the working classes, by giving them allowances which they would not receive from their employers, it oversteps its proper province; and it not only fails to accomplish its end, but it also produces immense incidental evils, by disturbing the natural relations of the employer and workman, and thus disorganizing a large part of society.

The order for prohibiting out-door relief to the able-bodied, which we have recently issued,* and which we propose to make as general as possible, permits out-relief to the able-bodied in all those cases of extraordinary distress which are of most frequent occurrence, such as sickness, accident, and bodily or mental infirmity in themselves or their families.

Moreover, we have always expressed our willingness to sanction a departure from that order in cases of extraordinary distress which are not *expressly* excepted from it, and we have always relaxed it in such cases when applied to by boards of Guardians.

If more than this be attempted, if the Guardians be encouraged to give out-relief systematically to classes of able-bodied labourers, and if the principle of allowances in aid of wages be legally established, the system of relief which has been created under the Poor Law Amendment Act will speedily assume a new form. The workhouses, which have been built at so considerable an expense, will become mere almshouses and hospitals for the aged, the sick, and the young; while the able-bodied labourers, relieved, directly or indirectly, at their own houses, will, as formerly, be maintained partly by wages and partly by allowances from the poor-rates.†

* See Appendix A, No. I.

† The following letter of instructions concerning the relief of the poor during a famine in a district of Hindostan, written by the Duke of Wellington (then Major-

With regard to the second class of paupers above adverted to, *i. e.* the partially disabled, we have brought under the notice of

General Wellesley) in 1804, explains with perfect correctness the principles on which public relief should be administered under such circumstances, and shows the importance, even during a general famine, of applying some effectual test for ascertaining the destitution of the applicants. It may be remarked that this letter was written only nine years after the passing of Sir Edward Hyde East's Act (36 Geo. 3, c. 23, passed in December, 1795), which enabled justices to order out-door relief, and only six years after the introduction into Parliament of Mr. Pitt's celebrated Poor Bill of 1798 :—

Extract from the Despatches of the Duke of Wellington, vol. iii. p. 215, (edit. 1837.

“ TO MAJOR GRAHAM.

“ *Bombay, 11th April, 1804*

“ SIR,

“ I have taken into consideration the various reports which I have received from you, of the miserable state of the lower classes of the inhabitants of Ahmednuggur, in consequence of the dreadful scarcity of provisions in that part of the country; and I proceed to give you my sentiments on that subject, and directions regarding the mode of providing for their relief.

“ The delivery of the provisions *gratis* is, in my opinion, a very defective mode of providing against the effects of famine.

“ It is liable to abuses in all parts of the world, but particularly in India; and at Ahmednuggur, the consequence of its adoption would be, that crowds of people would be drawn there from other parts of the country, in which the distress is equally felt; and they would increase the distress at Ahmednuggur to such a degree as to render all the efforts to remove it from its immediate inhabitants entirely fruitless; and it might at last reach our own troops and establishments. The principle, therefore, of the mode in which I propose to relieve the distresses of the inhabitants is, not to give grain or money in charity.

“ Those who suffer from famine may properly be divided into two classes; those who can, and those who cannot work. In the latter class may be included old persons, children, and the sick women; who, from their former situation in life, have been unaccustomed to labour, and are weakened by the effects of famine.

“ The former, *viz.* those of both sexes who can work, ought to be employed by the public; and in the course of this letter I shall point out the work on which I should wish that they might be employed, and in what manner paid. The latter, *viz.* those who cannot work, ought to be taken into an hospital and fed, and receive medical aid and medicine at the expense of the public.

“ *According to this mode of proceeding, subsistence will be provided for all: the public will receive some benefit from the expense which will be incurred: and, above all, it will be certain that no able-bodied person will apply for relief unless he should be willing to work for his subsistence: that none will apply who are able to work, and who are not real objects of charity: and that none will come to Ahmednuggur for the purpose of partaking of the food which must be procured by their labour, or to obtain which they must submit to the restraint of an hospital.*

“ I enclose a memorandum of the work which I should wish to have performed at Ahmednuggur. This work must be carried on under the superintendance of the engineer, by the persons you will send to him, who may be desirous of partaking of the subsistence which, according to this plan, will be afforded to them. You ought to have a sufficient number of persons to attend the engineer, and to ascertain the number of people who go to work; and each person ought to receive for the day's labour half a seer of grain, and two pice, to be issued daily.

“ I wish you to provide a building in the pettah of Ahmednuggur for the reception of those who cannot work. Objects of this description, suffering from want, ought to be removed immediately to this building, where they must be attended by a medical gentleman. This gentleman shall provide them with the necessary quantity of food, to be drawn from you; and he shall be paid for his trouble at the rate of 50 pagodas per month.

“ The next point to be considered is the mode in which grain is to be procured for the subsistence of these people. There is at present, at Ahmednuggur, a quantity of damaged jowarry, but which I take to be by no means sufficient to enable you to carry on this plan for any considerable length of time. It will answer, how-

the Secretary of State in our Report for the present year,* our views respecting the inexpediency of continuing to give partial relief in these cases, and on the injustice of thus enabling them to compete with and lower the value of the labour of the able-bodied man. We feel the injustice and impolicy of this course so strongly, that although not desirous of urging or insisting on the application of the workhouse to all cases of this nature, we are of opinion that it is desirable that persons incapable of wholly maintaining themselves should not be suffered to receive partial relief, but should be entirely supported by the guardians, and should either be set to work by the Guardians in such manner as may be suitable to their condition, or should not be suffered to do any work on their own account. We will only add upon this topic, that we believe this mode of proceeding not only to be the most advisable with regard to the labouring classes generally, but essentially more humane as respects the individuals to whose cases it is applicable, and that when the Guardians feel under the obligation to provide entirely for these persons, they will be more likely to obtain adequate relief than when partially assisted, inasmuch as where relief is given in aid of earnings there is a constant desire to give the least possible amount, and the workhouse is made use of not for its legitimate purpose only, but is offered to the applicant with the view of inducing him to accept in lieu of it the smallest pittance.

Independently of the classification of the cases of out-door relief above stated, there is a further distinction to be made, between resident and non-resident paupers.

Under the existing laws for the relief of the poor, the duty of relieving destitution, and the charge of providing such relief, are wisely cast upon the locality in which the destitute person resides; until he be removed to the place of his settlement by due course of law. When that removal has taken place, the duty and charge of relief fall upon the place of his settlement.

It is true that relief given under suspended orders of removal, and during the interval between the notice of an order of removal and its actual completion, may be recovered from the place of the settlement; but notwithstanding this, the duty of relieving until

ever, for a certain space of time, till you shall be enabled to procure additional quantities from the districts of the Soubah of the Deccan. You will exert yourself to the utmost to procure the grain required; and, in the meantime, orders will be sent to Ahmednuggur to place the jowarry at your disposal. From this grain, and from what you will purchase, you will supply the surgeon with what he may require for the hospital ordered to be established by this letter.

“You will pay the surgeon for his attendance upon this hospital, and you will keep a separate account of the expense of the whole establishment; whether for labour, or for food for the infirm, or for attendance and medicines for the hospital.

“Orders conformable to this plan will be sent to the proper officers at Ahmednuggur.

“I have the honour to be, &c.

“Major Graham.”

“ARTHUR WELLESLEY.

* Fifth Annual Report, 1839.

actual removal, remains with the authorities of the place where the pauper is.

The propriety of this provision of the law cannot be questioned, for it is impossible for a Board of Guardians to ascertain accurately the reality and nature of the destitution of a party residing in a distant Union; and if they could ascertain it, they have not the means of furnishing relief with adequate promptitude or certainty.

There are, moreover, great practical difficulties in conveying the relief to a distant pauper, and we have found in various instances that arrangements made for this purpose have led to frauds and peculations on the part of those who have been entrusted with the conveying the relief, and to consequent inconvenience or suffering on the part of the non-resident pauper.

We are aware that arrangements might be made by which the guardians of a Union A, might undertake on behalf of another Union B, to examine into and relieve the cases of paupers belonging to Union B, but resident in Union A, and that the amount of such relief could be remitted from one Union to the other through the treasurer.

In the present state of the law, however, it seems doubtful whether these arrangements could be made so as to have a binding character; and even if the law were amended in this respect, there would remain the two following serious objections to this course. First, that the Board of Guardians which gave the relief would in fact be disposing of the funds of the rate-payers of a distant Union, without any control or responsibility. Secondly, that there would arise a great complication in the accounts, inasmuch as each of the Unions might have to open accounts with many, and sometimes with a majority of the 580 Unions through the country.

Considering the various anomalies and difficulties to which we have adverted, we have arrived at the conclusion that it is advisable to discontinue the practice of relieving non-resident paupers, and with the view of effecting this object with the least possible inconvenience and hardship, we have begun to issue regulations preventing relief to non-residents in new cases, except in cases of accidental sickness, or sudden or urgent necessity, and the cases of widows during the first six months of their widowhood.

The subject of medical relief to the poor has received our most attentive consideration.

Previously to the passing of the Poor Law Amendment Act, there existed no statute expressly authorising the parish authorities to provide medical relief for the poor. In the statute of Elizabeth no allusion to any such relief is to be found, and in the subsequent Acts of Parliament relating to the poor the legislature has been entirely silent on this subject.

In the absence of any positive provisions, medical aid has, nevertheless, been supplied to the poor, and, as might have been expected from the uncontrolled discretion of parish officers of 15,000 districts, the arrangements for the purpose have been almost infinitely various, both as to the mode of selecting the medical attendants and the amount of their remuneration. Almost all, however, had the same defect—the absence of all effective control over the medical officer, as well as respects his due attendance on the sick, as with regard to the amount of his charges.

Since the formation of the Unions, some degree of uniformity in these arrangements has been introduced, especially in reference to the securing the proper performance of the duties of the medical men; but with regard to the mode of their appointment and remuneration, we have deemed it right to authorise or permit the adoption of different systems in different parts of the country, in the expectation that we should at no distant period be better enabled to ascertain the most advantageous form in which this branch of Poor Law administration could be finally established.

We conceive that this period is now arrived. We have not only had the benefit of a large amount of experience accumulated from the numerous communications, which we are constantly receiving from various Unions throughout the kingdom, and of special Reports (Appendix B, No. 6) on the subject from our Assistant Commissioners at present acting in England and Wales, some of which are of the most detailed character; but we have likewise had the advantage, which we duly estimate, of much criticism on our proceedings. We more especially allude to the evidence given before the Select Committee of the House of Commons, and to a communication (Appendix B, No. 6) from the British Medical Association, which was formed for the purpose of attending to and remedying the real or supposed defects of the arrangements for medical relief. The experience and information thus acquired, and the great variety of suggestions which have thus been offered to us, have enabled us to mature our views upon this important subject, and these views we proceed to lay before your Lordship.

We must premise that the objects which we desire to attain are—To provide medical aid for all persons who are really destitute, and to prevent medical relief from generating or encouraging pauperism; and with this view to withdraw from the labouring classes, the administrators of relief, and the medical officers, all motives for applying for, or administering medical relief, unless where the circumstances render it absolutely necessary.

With reference to these objects we shall address ourselves in succession to the following heads into which the question of medical relief naturally divides itself:—

1. The extent of the districts.
2. The mode of appointing medical officers.
3. The qualifications of medical officers.
4. The remuneration of medical officers.

1. The extent of the districts.

With regard to the extent of the districts, we think that it is impossible to lay down any rule of a more precise nature, than that they should be sufficiently large to engage an important portion of the time and attention of the medical officer, and that they should not be so extensive as to expose the paupers to risk from delay in sending to obtain medical aid or the requisite medicines.

Between these limits, it must rest with the guardians of each Union to arrange it into districts, which will depend in a great degree on the situation of the several villages in the Union, on the density of the population, and on the existing residences of the medical practitioners.

We are of opinion that the average extent of the greater part of the medical districts in Norfolk, Suffolk, and Essex,—*i. e.* about 16 or 18 square miles,—nearly agreeing with the extent which the medical witnesses who were examined before the Committee of the House of Commons generally approved of, will, in most parts of the country, under ordinary circumstances, be found to be convenient.

We think that if each parish had its medical officer as formerly, the comparative unimportance of the appointment would not create those responsibilities and those personal and pecuniary interests in the continuance to hold the office which stimulate the officer to the efficient performance of his duty; and that, moreover, much loss of time and inconvenience would arise to the medical men themselves, as it would be necessary for a great many of them to attend the weekly meetings of the Board of Guardians, although each might have only one or two cases to report upon.

We admit that the existing medical districts in some Unions are larger than might, at the first view, appear desirable; we must, nevertheless, add, that we believe that in these cases the attention and exertions of the medical officer have, to a great extent, prevented any inconvenience, and that his attendance has been even more frequent and regular than in small districts.

In cases of emergency, moreover, when it may be difficult to send with sufficient promptitude to the distant residence of the medical officer, the relieving officer, overseers, and magistrates, can each lawfully order the medical attendance of any medical man. Notwithstanding this provision, however, it is clear that inconvenience may arise from the too great extent of medical districts, especially in respect of sending for the medicines, and we are of opinion that this, although it might in some cases be dimi-

nished, would not be effectually prevented by the establishment of medicine chests in the distant parts of a large district. We conceive that the difficulty of providing for the proper custody of those depôts of medicine—the possibility of mistake in administering them—the deterioration of the medicines from their being only occasionally demanded—are serious objections to this arrangement, and that it ought not to be resorted to, if it is possible, by contracting the size of the districts to avoid the necessity for it.

2. As to the mode of appointing the medical officers.

It will be perceived from the returns furnished by the Assistant Commissioners, and annexed to this Report (Appendix B, No. 6), that many Boards of Guardians advertise annually in the provincial newspapers current in their respective Unions for medical practitioners who may be willing to enter into engagements with them.

In some of these advertisements the remuneration is notified as predetermined, in others the candidates are themselves invited to propose terms. This latter mode of proceeding, usually styled the *system of tender*, has excited some dissatisfaction amongst the medical profession, and we therefore deem it to be our duty specially to state to your Lordship the reasons for and against the adoption of this course, and the conclusions to which we have arrived respecting it.

The reasons in favour of the *system of tender* appear to us to be,

- 1st. That there is a great difficulty in ascertaining in any other manner what is a proper remuneration for the services to be performed.
- 2nd. That the engagement with the Boards of Guardians operates to promote the private practice of the party engaged, and that by means of the system of tender the public derive some part at least of this collateral advantage.

Against the system of tender it has been urged,

- 1st. That it has a tendency to lower the remuneration beyond what is reasonable, or beyond what will admit of the medical man supplying proper medicines.
- 2nd. That those who offer at a low price for the sake of collateral advantage will be apt to give more attention to that collateral object than to their duties to the poor.
- 3rd. That it leads the guardians to neglect the qualification of the candidates, and to appoint incompetent practitioners on the ground of the lowness of their tender.

We think it right to advert to a further objection urged by some of the medical profession against the system of tender, as having a tendency to promote the introduction of medical men from another neighbourhood into a Union, and consequently to

disturb the existing distribution of private practice amongst the resident medical men. It may nevertheless be reasonably questioned whether any such disturbance will take place, unless upon the ground that the stranger is more expert or more attentive than his competitors. Without, however, entering into this question, we may be permitted to express our wish that we may be able, consistently with our public duty, to shape the arrangements for medical relief so as to interfere as little as possible with the private practice and collateral interests of the medical profession, and to declare our intention not to encourage the introduction of strangers into a Union, except in those cases in which, from local or accidental circumstances, the resident practitioners are unwilling or unable to render their services upon fair terms.

Adverting to the reasons above stated, for and against the system of tender, we are disposed to think that, on the whole, the latter prevail; and now that further experience has afforded facilities for ascertaining what is a fair and reasonable remuneration for the medical attendance on the poor of a district, that the system of tender ought to be abandoned; and that whenever it becomes necessary to engage a medical attendant for any district in a Union, an adequate remuneration should in the first instance be fixed upon, to be varied from time to time according to circumstances, and the guardians should advertise for the purpose of ascertaining who are willing to undertake the engagement, and should make their selection with reference only to the qualifications of the officer and the locality of his residence.

Whilst we are upon this branch of the subject, it is proper for us to consider the question, whether the medical attendants on the poor of the Union should be appointed as paid officers, or whether their services should be engaged by contract.

If they are appointed as officers for an indefinite period, they can be removed from office only by an order of dismissal; and we cannot exercise that power except for breach of our regulations, or for unfitness. As compared with an engagement under a contract annually renewable and revisable at the will of the guardians, it is evident that their tenure as officers is likely to be more permanent than as contractors; and this prospect of permanence confers more importance and respectability on the office, and thus has a tendency to enable the guardians to secure the services of a better class of officers.

In the character of paid officers, moreover, they are more directly subject to our regulations, and we think that the statutory power of dismissal and its consequences, afford a greater security against misconduct, than would be created by any clause in a contract authorising the Poor Law Commissioners to put an end to the engagement.

Upon these grounds, and also on account of the known wish of the medical profession that the medical attendants should be

placed upon the same footing as the chaplains, clerks, and other officers of Unions, we propose at no distant period to modify our regulations so as to effect this object; taking care, however, to reserve the power of making such changes in the number and districts of the officers, and in their remuneration, as the varying circumstances of the Union may appear from time to time to require.

3. With reference to the qualification of medical officers.

We have hitherto abstained from narrowing the definition laid down in the Poor Law Amendment Act, and we have not excluded any one who came within the terms "duly licensed to practise as a medical man."

In the remote parts of the country it would have been impossible to provide medical attendance on the poor, if we had adopted the recommendations which have been made by different branches of the medical profession,—namely, that we should exclude all who are not members both of the College of Surgeons and of the Society of Apothecaries.

We admit that it is very desirable that the medical men who are to have the charge of the poor should have knowledge and experience in both branches of the profession, and that being, in some sense, public officers, they should not be in a position to be obliged, in the performance of their duties, to resort to any evasion or transgression of the laws of the country. We conceive, however, that we shall secure the attainment of these objects with greater convenience to the public, by explaining our views to the guardians in the form of an instructional letter, than by issuing a general order, which on many occasions we should probably be compelled by local or other circumstances to rescind or dispense with.

4. As respects the remuneration to the medical officers.

The modes in which the medical officers have hitherto been remunerated may be classed as follows: namely, by a fixed gross annual sum, by payment of a fixed sum for each case attended, or by a combination of both these methods.

The remuneration by a gross annual sum has obviously a tendency to increase pauperism and to operate unfairly upon the contractor, inasmuch as it induces the guardians and relieving officer to give orders for medical relief profusely and indiscriminately, since such relief does not create any direct or immediate increase of charge on the rates. Hence the discouragement of medical clubs; the addition of many labourers, who but for this would have remained independent, to the list of paupers; and the unrequited increase of the labours of the medical contractor. It is manifest, moreover, that where the number of persons to be attended by the medical contractor does not depend merely on the average number of paupers, or on the probabilities of their sickness, but may, in the discretion of the Guardians,

comprehend all the labouring population, a just scale of remuneration by a fixed sum cannot be possibly established.

The remuneration per case on the other hand, taken by itself, has defects of an opposite character to those which we have just stated.

The interest of the medical officer becomes immediately biassed on the side of pauperism, and he has a strong motive for increasing the number of cases, by encouraging and supporting applications to the Board of Guardians for medical relief. This he can very readily effect by recommending extra sustenance in the form of meat, ale, and wine, to his pauper patients. The per case system, moreover, offers to the guardians, relieving officers, and overseers, an obvious and cogent reason for restricting the orders for medical relief; a reason which, as respects the aged and infirm, may often lead to the hesitation or refusal to provide that relief in cases in which it would otherwise be promptly and justly granted.

Of the modes of remuneration which combine both a fixed salary and a payment per case, that which appears to us most to unite the advantages, and to avoid the disadvantages, of both of these systems, is the following :

That at the commencement of every parochial year a list of all the paupers in the receipt of relief within a district should be made out, and that for the medical care of these paupers a fixed sum, to be then determined, should be paid, which should be apportioned to the several parishes of the district, according to the number of the paupers on the list belonging to such parishes respectively; and that the medical officer should attend these paupers, when sick, without any specific order from the Union or parish officers. And that as respects all other persons to whom medical relief shall be ordered during the current parochial year, the medical officers should receive a fixed sum per case, to be charged in every instance to the parish to which the pauper belongs.

By this arrangement the aged, infirm, and helpless, would be placed directly under the care of the medical officer, who, in addition to the ordinary motives, which to the credit of the medical profession lead to their careful and humane attention to this class of patients, will find it to be his direct interest to attend promptly, and to treat effectively, any case of sickness which may arise amongst the persons thus committed to his charge.

As respects this class of paupers so included in the pauper list, the Board of Guardians and their officers and the overseers will be relieved from a part of the responsibility and trouble incidental to providing medical relief, and from the anxiety and obloquy they now undergo in reference to cases in which there has been any unavoidable delay or justifiable doubt in providing medical aid.

As regards the able-bodied labourers, whilst there will be no

temptation to the Guardians to administer (as under the system of a remuneration by gross fixed salary) relief to individuals of this class indiscriminately at the expense of the medical officer; there will at the same time be no inducement to refuse it when really necessary, inasmuch as the system of payment per case admits of medical relief being granted by way of loan, an arrangement which operates to encourage the labourer to provide himself with medical aid on easier terms, by subscribing beforehand to a sick club or friendly society.

With regard to the amount of the remuneration, we are disposed to give much weight to the concurrent testimony of the witnesses examined before the Committee of the House of Commons of last Session, in reference to medical relief; and we deduce from that testimony that the fixed remuneration to be paid in rural districts for the permanent list, should be such as to afford to the practitioner a payment of 6*s.* or 6*s.* 6*d.* per case on the average number of *bonâ fide* cases, subject to be augmented if the district is extensive.

The remuneration per case for those not on the pauper list may reasonably be on a somewhat higher scale; but we are inclined to think that it will not be found necessary to exceed 10*s.* per case.

In the arrangements which we have indicated, we presume that midwifery cases and surgical operations of a serious character will be paid for by a separate fixed charge for each case.

We entertain no doubt that if the principle of the payment per case be thus adopted, it may be easily modified to suit the special circumstances of each Union, and that further experience of its operation will enable us to ascertain accurately whether the rates above stated, which at first will be of a somewhat experimental character, furnish an adequate, and not unreasonable, remuneration for the services performed.

Before closing our observations on this subject, we deem it right to notice a plan which has been adopted in the Leighton Buzzard Union. In that Union the Guardians have engaged the entire services of a medical practitioner, who resides in apartments provided for him at the workhouse, and attends both the in-door and out-door poor of the Union. We are inclined to estimate highly the advantages which the Guardians may derive from thus having always at their command the advice of a medical officer, not only in reference to the paupers actually sick, but as respects general sanitary measures for the benefit of the inmates of the workhouse and the poorer classes in general.

Having thus stated to your Lordship our views as to medical relief, we have only to add that we shall be prepared to take the necessary steps to give them effect, unless Parliament should lay down any other course which it may deem preferable. We shall, however, proceed gradually: for, as your Lordship will perceive

from the annexed Reports of our Assistant Commissioners,* to which we must refer for more full information on the subject, there is but little dissatisfaction prevailing in reference to the existing medical arrangements, and certainly none such as calls for any immediate general change.

V. One of the most important improvements of which the organization for the administration of the Poor Laws appear susceptible, has been recommended by the Committee of the House of Commons in the following terms:—

“Your Committee are desirous of expressing their opinion, in connexion with this part of the subject, that the appointment and duties of auditor require to be put on a more efficient footing. This officer is among the most important of those constituted by the new law, and upon the integrity, independence, and intelligence with which his duties are performed, its efficiency must always in a great measure depend: it is essential that he should be removed from any local influence, and above any temptation to abuse his trust. Your Committee are of opinion, therefore, that it would be desirable that the auditor should not be confined to one Union, but act for a large district; and thinking that it would be better that he should be appointed by the Commissioners rather than by the Board of Guardians, they have agreed to the following resolution:—

“That the system of auditing the accounts at present is open to abuse, and that the Commissioners should have power henceforward to appoint district auditors.”

At present the auditors are appointed by the guardians, that is, by the very officers upon whose administration of the funds raised for relief of the poor they are intended to operate as a check. Such a mode of appointing an auditor is wholly anomalous, and, we believe, without precedent. Officers of this description, whether in private or public bodies, are invariably appointed either immediately by the body whose interest they are intended to protect, or by some other authority not implicated in the expenditure, nor accountable for it to the officer appointed. The contrary course of leaving the appointment to the parties who are to render the account has already produced, in many instances, the results to which such a policy tends, and which must eventually be realised universally. Moreover, even in cases in which an efficient auditor has been appointed, the proper discharge of his duty has sometimes caused his authority to be disputed by the guardians, who infer from the fact that the appointment is vested in them, that they are not subject to his authority, and thus, through the anomaly of the mode of appointment, they are induced to claim an exemption from all accountability for the funds which they administer. Facts have from time to time come to our knowledge which show that the auditor sometimes considers himself too much under the direction of the Board of Guardians to be

* Appendix B, No. 6.

able to exercise an independent control of their accounts; and also that the Board of Guardians sometimes consider the control of the auditor as a presumptuous interference with their proceedings on the part of a subordinate officer appointed by themselves. We may mention particularly that a district auditor lately resigned his office on the ground that the exercise of his power, in disallowing illegal items in union and parochial accounts, had excited much discontent in many Unions, and that as he had been elected Auditor by the Guardians, he was placed in the disagreeable position of being obliged to act in a manner which he knew to be displeasing to those who, by electing him, had conferred a favour on him; and also that a valuable and active chairman of a Board of Guardians lately threatened to retire from the Board, because some items in the accounts of the Guardians had been disallowed by the Auditor, one of their subordinate officers.

But the qualifications required in an auditor beyond those of independence and impartiality are of such a nature as render it impossible to procure many efficient officers of the description required. A mere knowledge of accounts is only a small part of the requisite accomplishments. It is necessary that he should have a complete knowledge of the statutes and authorities by which the expenditure of the poor-rates is regulated, and of the Poor Law Commissioners' rules, orders, and regulations, and be able to make sound and legal inferences from these authorities so as to determine their effect in special cases. Some acquaintance with the law of contracts is necessary, and, above all, a large experience of the nature of the pecuniary transactions of the guardians, overseers, and other accountable officers, without which it is impossible for him to exercise his important function of ascertaining, as he is bound to do in every case, the reasonableness of every item. To come to correct conclusions in such matters is obviously impossible without a knowledge of the terms upon which transactions on the like scale and conditions are usually effected. Indispensable as such knowledge is, it must, of course, be rarely attainable by an officer receiving only the remuneration which would be paid by a small district.

A large proportion of our correspondence consists in inquiries of persons interested in passing their accounts, and of auditors, and the replies to such inquiries. But notwithstanding our incessant attention to this subject, and the ample information afforded for ordinary cases by our circulars, many irregularities and great want of uniformity in the practice of auditors prevail; and while they remain in such large numbers, involving frequent variations and reappointments of inexperienced persons, such an effect appears inevitable.

The number of auditors, the frequent changes, and the want of efficient inducement, when once appointed, to obtain a thorough knowledge of their extensive and difficult duties, therefore, appear

to render a want of uniformity inevitable under the present system. Yet in no department is uniformity more necessary to efficiency of administration, to the protection of the public, and to the safety of the persons to be controlled. One of the most painful parts of the service now is to adhere strictly to the law in cases in which the accounting officers have, or appear to have, been misled by a previous loose administration in their own district, or by a reference to the loose administration prevailing in some neighbouring district. Serious inconvenience and loss to individuals are constantly suffered from this cause, without any possible remedy either by the auditors, the Commissioners, or by any other authority. As a measure of fair protection to the accountants, and in order that they may be supplied with a rule of conduct upon which they may rely, it is highly desirable that some more effectual provision should be made for the establishment of a certain and uniform practice in the auditing of accounts.

The Commissioners have authority under the 46th section to combine Unions for the appointment of auditors. In the exercise of this authority, we have caused the appointment of district auditors in Kent, Norfolk, and part of Sussex; and we have effected a similar arrangement by promoting a voluntary combination of Unions in Devonshire and Somersetshire. The officers whose services have thus been obtained have performed these duties in a highly satisfactory and effective manner; and afford evidence of the advantages which would result from the appointment of auditors generally, for combinations of Unions. There is, however, great difficulty in arranging an election by a number of Boards of Guardians, and in giving their due influence to the several Boards; and it should be observed that this system is still subject to the inherent defect in the mode of appointment by the accounting parties.

It would have been, we conceive, in strict analogy with the rest of the constitution of the Commission, that the responsibility of examining, allowing, and disallowing of accounts of officers of parishes and Unions should have been cast upon the Commissioners and their assistants. Accordingly, the Commissioners have in a few instances enabled Guardians to appoint their Assistant Commissioners as auditors (without salary), and such appointments have had the beneficial effects anticipated, so far as the protection both of the public and the accounting parties, and the general regularity of the business of the districts are concerned. We have not, however, been able to devise any means by which the Assistant Commissioners should audit the accounts generally, consistently with the performance of their other duties; though we think that arrangements might be made for the carrying on the audit under their superintendence.

We may add, that the considerations above adverted to appear to have determined the Legislature, when it passed the Irish Poor

Relief Act, to confer upon the Commissioners the power of appointing the auditors of Poor Law Accounts for Ireland, and of enabling them to act for districts of Unions. (1 & 2 Vict. c. 56, § 95.)

VI. The general subject of the assessment and allowance of the poor-rate does not come within the scope of the present Report. The only points connected with the poor-rate on which we now think it necessary to make any remarks to your Lordship are those which concern the powers of the guardians to obtain from the parish officers the funds required for the relief of the poor.

The ordinary relief of all the poor in the Union is now vested in the Board of Guardians. But the Board of Guardians has no direct concern with the making, or (except in the cases which will be presently adverted to) with the collection of the poor-rate. The duties of making, and, in general, of collecting the poor-rate, are performed by the overseers, under the 43rd Eliz.

Now the overseers, being no longer responsible for the relief of the poor of their parishes, are sometimes unaware of the sums which it will be requisite to raise for the purposes of relief; and it frequently happens that they avoid making a rate, sometimes with a view to escape as long as possible the payment by their parish of its quota, and sometimes with the avowed intention of embarrassing the guardians. In other cases the like inconveniences occur without any default in the overseers; but arise from some actual or supposed defect in their appointment, or some legal defect attributed to the existing rates which prevents the collection of them, or the making of new rates.

In all these cases the inconvenience and injustice are the same. The parishes in which these causes of delay arise, are usually the most populous or most pauperised parishes in their respective Unions. And as the guardians have apparently no alternative while they have any funds in hand but to relieve all the poor of the Union, these parishes cast for a considerable period of time the burden of relieving their poor upon the more regularly-conducted parishes; an evil frequently enhanced by the more unfavourable contracts which a Union must submit to when its payments are not punctually made to the contractors.

In many of the boroughs in which municipal corporations have been constituted under the Corporation Act, these evils have been much enhanced by the powers given to the council to levy the borough rate by distress on the property of the overseers. For these powers operate to enforce payment to the borough council by the overseers of all the monies which they can collect, and thus the poor, the first objects of the rate, are left unprovided for sometimes during many months.

In order to remedy the evils which we have described, an Act was passed in last session for enabling justices, upon the application of a Board of Guardians, to issue distress-warrants against

the overseers of parishes whose payments were in arrear (2 and 3 Vict. c. 84). The provisions of this Act have, since the end of last session, been employed in several cases where there had been long-standing difficulties in obtaining funds from the parish officers, and the remedy which they afford has been found to be sufficient. The law on this subject may therefore now be considered in a satisfactory state.

But before the passing of the 2 and 3 Vict. c. 84, the Commissioners had in many Unions taken steps for promoting the more regular collection of the poor-rate, and its payment to the Board of Guardians.

Since the disbursement of the poor-rates has been taken from the overseers, and even the custody of the proceeds in a great measure transferred from them to the treasurer of the Board of Guardians, the duties of overseers in the administration of the poor laws have been nearly reduced to the making and collection of the rate; and, if necessary, the compulsory levy of it by distress. It was natural that these duties should, in some cases, be reluctantly or negligently performed; and accordingly many Boards of Guardians, finding themselves irregularly supplied with funds for the necessary relief of the poor, applied to the Poor Law Commissioners to authorise them to appoint paid officers for the collection of the rates. Recognising the great advantages derivable from the appointment of such officers by the guardians, we have generally issued orders for their appointment when we were applied to for this purpose. And we had the less hesitation in continuing to pursue this course, inasmuch as we were advised, after a careful consideration by counsel of the highest authority, that the provisions of the 36th section of the Poor Law Amendment Act, combined with the definition of the term "officer," in the 109th section, authorised the appointment of collectors by the guardians under the orders of the Poor Law Commissioners.

In last Easter Term, however, one of the orders of the Commissioners, authorising a Board of Guardians to appoint a collector of rates, was brought before the Court of Queen's Bench by writ of *certiorari*; and the court decided against the legality of the order, on the ground that the collection of the rates was not one of the purposes of the Poor Law Amendment Act.

In consequence of this decision,* we thought it our duty to inform every Board of Guardians, to which such an order had been issued, of our intention to revoke the order at the earliest convenient time; and we further requested their answers to the three following questions:—

- “ 1. Whether any inconvenience, and if so, of what nature and amount would be incurred in your Union by the immediate revocation of the order?
- “ 2. The earliest time at which the order can be revoked without serious inconvenience?

* See App. A, No. 2.

“ 3. Whether any person in the Union is known to entertain any objection to the continuance of the order ? ”

The answers to these questions, which we received from the Unions, stated, in the great majority of cases, that much inconvenience would result from the immediate revocation of the orders, and that no objection was entertained to their continuance. We subjoin some extracts from those answers, which, it will be perceived, come from Unions situated in all parts of the country, and exhibiting the utmost variety of circumstances.

ABERGAVENNY UNION :—“ The Guardians and parishioners generally think that a revocation of the order would be most injurious to the parish, inasmuch as the collection of the rates would devolve upon the tradesmen of the town, who cannot devote that time and attention to the subject that it requires, and there is no one in the parish who is known to entertain any objection to the continuance of the arrangement. On the contrary, the inhabitants are generally most anxious, and have been so for some time, to have an officer appointed to collect not only the poor but all other rates in the parish.”

ALSTON-CUM-GARRIGILL, BOARD OF GUARDIANS :—“ The population of this Union amounts to nearly 8000 persons, and the amount collected for the last year from the rates was about 1684*l.* There are upwards of 840 rate-payers, and the collection has in former years been attended with great difficulty. The Guardians are of opinion that it will be of great advantage, and indeed highly necessary for the purposes of the Union, that a permanent collector should be appointed.

“ And I was requested by the Guardians, at their meeting held on Saturday last, to state to you that the same reasons still continue for the necessity of a permanent paid collector for this Union, with the addition of the number of rate-payers having been greatly increased within the last two years, and the rates more difficult to collect ; and that in the opinion of the Guardians—

“ 1. Great inconvenience and loss would arise from the immediate revocation of the order for such collector.

“ 2. That the Guardians are fully of opinion that a paid collector cannot, without great inconvenience and loss, at any time be dispensed with for this Union.

“ 3. That no person in the Union is known to entertain any objection to the continuance of the order.”

ALTRINCHAM UNION, Altrincham Township :—“ When we entered the office of overseers of the poor, we were assured that the person then employed as assistant-overseer and collector would continue in office ; and in answering the first question in the letter alluded to, the greatest possible inconvenience would arise if the order was revoked, as the duties of the office require more than six months' active employment. Our rate-book numbers upwards of 860 ; the distance travelled, in attending magistrates' meeting, paying money to the treasurer and high constable, attending revising barristers and collecting bastardy money, amounts to more than 400 miles in one year.”

ATCHAM UNION :—“ Resolved unanimously, That this Board of

Guardians, having considered the subject contained in a letter received from the Poor Law Commissioners, bearing date 31st May, respecting the appointment of a rate collector under their order, dated 22nd December, 1838, begs leave to state, that the person so appointed to the said office having disposed of his business, for the purpose of enabling him to hold the same, under the idea that the situation would be permanent, it is the opinion of this Board that it would be a considerable inconvenience to the person so elected, if not an act of injustice towards him, to rescind such order, at least without a considerable notice, the length of which the Board is not prepared to fix."

ST. AUSTELL UNION:—"According to the resolution of last week, in reference to a letter from the Poor Law Commissioners on the subject of revoking the order for the appointment of collectors of rates, the subject has been taken into consideration; and it is the opinion of this Board of Guardians, in respect to the first question, that the inconvenience arising from such revocation would be very great, and that from a majority of the parishes in the Union the rates would not be collected."

BANGOR AND BEAUMARIS UNION:—"Collectors of poor-rates have only been appointed for the three larger parishes within the Union, and a revocation of their appointments would be productive of serious inconvenience.

"The Board of Guardians request that you will be pleased to suspend the revocation of your order, authorising the appointment of collectors of poor rates, until any objection to the continuance of the order is known to be entertained by any person within the Union."

BERKHAMPSTEAD UNION:—"The Guardians of this Union desire me to inform you, that some time since they appointed a paid officer, under your order, to collect the poor rates in Tring parish only.

"That a revocation of this appointment would be attended with much inconvenience, from the extent and population of the parish; that previous to the appointment it was found almost impracticable to collect the rates in sufficient time to meet the calls of the Guardians; and that at the time of the appointment the rates were considerably in arrear, and the same inconvenience would again arise by a revocation of it. That a revocation of this order would be found inconvenient at any time. That no person in the Union is known to entertain any objection to the continuance of the order."

CLUTTON UNION:—"No collectors have been appointed for any parish in this Union, except Paulton.

"1 & 2. Great inconvenience and loss would arise by the revocation of the order. The parish consists of 1060 acres, and there are nearly 500 cottages in it, principally occupied by coal-miners, who are continually changing their residence; and were there not a person whose whole business it was to collect the rates, much would be lost. Add to this, that there are only four persons in the whole parish liable to serve the office of overseer, who are capable of discharging its duties, and consequently the collection of the innumerable small cottage rates has heretofore been much slighted.

"The oldest rate-payers in the parish have never known the rates

collected anything like so well as they are at present, and no one has expressed any objection to the continuance of the order.”

CRICKHOWELL UNION:—“ At a special meeting of the parish of Llanelly, held pursuant to notice,—Resolved, That it is the unanimous opinion of this meeting, that the discontinuance of such officer (the collector) will be attended with serious loss and inconvenience; for up to the year 1829 this parish was conducted upon the principle of electing annual overseers, and at which time the affairs of the parish were found in a very ill-conducted and unhealthy state, the rates amounting, upon a valuation of one-third of the rack-rent, to 12*s.* in the pound; and from the commencement of the appointment of a paid deputy overseer, a regular economy and diminution of the rates took place, so that at the formation of the Union the rates were reduced to 3*s.* 4*d.* in the pound upon the same valuation.

“ In answer to the first question put by the Poor Law Commissioners, it is impossible for this meeting to calculate the amount of the loss which will be incurred by the revocation of the Poor Law Commissioners’ orders, since there are no less than 1320 houses principally of rents, not exceeding 6*l.* each, and the difficulty of collecting the rate in consequence of the frequent change in the tenancy, and also the number of new houses daily building, which would required to be assessed; and this parish being principally a manufacturing district, the relieving officer would be quite incompetent to give it that attention which the interests of the parish require, and the Guardians would not be sufficiently supplied with the necessary information of the circumstances of the applicants for relief, to enable them to administer thereto.

“ With respect to the second question, this meeting is opinion that the revoking of the order would be attended at any time with the greatest inconvenience.

“ And in answer to the third question, there has not been a single objection made to a continuance of the order.”

DERBY UNION:—“ It would not only be inconvenient, but impossible, to do without paid collectors for the several parishes of this Union:—

“ 1st. Because the population is so large as to render it impossible for the unpaid overseers to give their time to the duties of the office.

“ 2nd. It would be impossible to state a period when the order appointing paid collectors could be revoked without serious inconvenience.

“ 3rd. There is not known to be any person in this Union who entertains any objection to the continuance of the order.

“ The paid collectors are also assistant-overseers, and, in fact, the whole business of the Union is performed in the offices and by the officers of the Derby Union, so that the unpaid overseers have nothing to do but to sign rates,” &c.

DRIFFIELD UNION:—“ It would occasion considerable inconvenience if the orders for the appointment of paid officers to collect poor-rates were revoked in any of the three parishes in this Union (Great Driffield, Hutton, Cranswick, and Garton-on-the-Wolds) where they have been appointed; it having been found impossible in the above-named parishes to collect the rates properly previous to the appointment of such officers.”

EASTRY UNION :—“ It is the opinion of the Guardians that great inconvenience would result to the parishes by the immediate revocation of the order under which Mr. Cavell was appointed, particularly as the overseers for the present year were appointed with an understanding that they would not be required to collect the rates.

“ As the Guardians believe that there exists no objection to the continuance of the order, they hope that the services of so useful an officer in the parishes above-named will not be discontinued ; but should an objection be advanced, the guardians will feel it to be their duty to acquaint the Commissioners forthwith.”

ELHAM UNION :—“ Great inconvenience would arise to this Union by the immediate revocation of the order for the appointment of collectors, owing to several poor rates being in progress of collection, and the unsettled state of accounts.”

FAVERSHAM UNION.—“ Great inconvenience would be incurred in this Union by the revocation (at any time) of the order for appointing collectors, and the guardians are in possession of no information as to any objection being entertained to the continuance of the order.”

GAINSBOROUGH UNION.—“ There is only one collector of poor rates in this Union, viz., for the township of Gainsborough, and the Board of Guardians are of opinion that the revocation of such appointment would be a great inconvenience and injury to the township.

“ It is believed there is no objection to the continuance of the order for appointment.”

GATESHEAD UNION :—“ The Board of Guardians anticipates much inconvenience to the various parishes and townships comprising the Union by the immediate dismissal of paid collectors of rates ; and no objection being made by any person whatever to their continuance in office, the Board have postponed the further consideration of your circular to Tuesday, the 13th day of August next.”

HENSTEAD UNION :—“ Only one collector of poor rates has been appointed for this Union, viz., for the parish of Hethersett : in the opinion of the Board of Guardians, the revocation of this appointment, before the expiration of the current parochial year, would occasion much inconvenience to the said parish, inasmuch as there is a great number of cottages assessed to the poor rate there, none of which being exempted, the collection of the rate, without the assistance of a paid officer, is scarcely practicable ; and no objection is known to be entertained to the continuance of the order.”

HEXHAM UNION :—“ Inconvenience most assuredly would be incurred in this Union by an immediate revocation of the order, as where appointments have been made, they were for parishes and townships where the greatest inconvenience had arisen from the carelessness of the overseers in making out and collecting the poor rates ; and all such appointments have invariably been made at the request of the rate-payers of the parish or township for which appointed.”

HOLLINGBOURNE UNION :—“ In the opinion of the guardians very great inconvenience would arise from the immediate revocation of the order under which that appointment took place.

“ This Union has, since the appointment of a collector, improved

very much in the management of its finances; and the guardians much fear that by his removal at any time the Union would relapse into its former state, from the careless way in which the parish officers collect the rates, and pay the contributions due to the Union.

“The guardians are not aware of any person in the Union entertaining any objection to the continuance of the order.”

HOO UNION:—“The appointment of a paid collector of poor rates has operated very beneficially, and the guardians apprehend that considerable inconvenience would be occasioned by the immediate revocation of the order.”

IPSWICH UNION:—“1. The Board of Guardians are unanimously of opinion, that the revocation of the order to this Union would be attended with great inconvenience and considerable loss.”

KIDDERMINSTER UNION:—“Resolved, that inasmuch as it is not known to this Board of Guardians that any person in the Union entertains any objection to the continuance of the orders, and that serious inconvenience would be produced if such orders were to be revoked, the clerk do inform the Poor Law Commissioners that the Board does not wish the revocation of the orders referred to.”

KING’S NORTON UNION:—“1st. Serious inconvenience would be incurred in the three parishes; viz., Edgbaston, Harborne, and Beoley (in which the poor-rates are now collected by paid officers), in consequence of the practice having existed in those parishes for many years previous to the formation of the Union, and they fear that considerable loss would be occasioned in the collection of the rates, if the present should no longer be authorised.

“2nd. The guardians cannot conceive it advisable that the order should be revoked at any period under the circumstances above stated.

“3rd. No person has complained of the existence of the order, and the inhabitants of the respective parishes strongly urge its continuance.”

LANGPORT UNION:—“The guardians consider that a serious inconvenience would be felt by your immediate revocation of the order, inasmuch as, where collectors have been appointed, they have collected the rates more equally and better than under the old system

“Secondly, that they wish you to allow the order to remain in force as long as you possibly can; and, thirdly, that they know not of any person in the Union who entertains any objection to the continuance of the order.”

LLANRWST UNION:—“If the order is immediately revoked, a serious inconvenience will arise by the transfer of the several books from the hands of the district collector to that of the respective overseers in their present, and the total inability of the latter class to perform their duties.

“I am not aware that any objection whatever prevails in this Union against the operation of the order, but, on the contrary, the same may be safely continued.

“If the order must be revoked, this Board requests that the Poor Law Commissioners will suspend its revocation until the quarter ending in the month of September next, to afford the Union time to make the necessary arrangements.”

LONGTOWN UNION:—“Very great inconvenience would be incurred

by this Union by the immediate revocation of the order authorising the appointment of paid officers to collect the poor-rates, such officers having been appointed and having entered upon their duties with the understanding that they were so appointed during good behaviour. The rates have been made out and partly collected by them. They are responsible, and no one else, for the monies received. There are no other officers fit to carry on the business, the overseers this year having been appointed with the understanding that their duties would be performed by the paid officers. * * * *

“3. No person in the Union is known to entertain any objection to the continuance of the order.

“The Board of Guardians hope that, until such objection arises, they may be allowed to go on as at present, having already suffered great inconvenience from the changing of officers, as well as been at considerable expense in the appointment of their present paid officers.”

LOUGHBOROUGH UNION, Loughborough Parish :—“The select vestry are of opinion, that great inconvenience in various ways would arise from the revocation of the order.

“1. They consider it would be an oppressive burthen, and a sacrifice unreasonable in amount, and (in some instances) almost ruinous in its consequences, for a person who might be appointed overseer of the poor to collect the rates of this parish, which, according to the last census, contains nearly 11,000 inhabitants.

“They are of opinion, that it must of necessity take nearly the whole of his time; and for a tradesman to be brought in contact with his fellow townsmen in collecting public monies (especially in the present excited state of the country), is placing him in a situation we think should be avoided, if possible. And we further think that a person in business, and of but small capital, to be so situated, might have a permanently injurious effect upon himself and family.

“2. We are also convinced, from past experience, that it has been for the benefit of this parish to employ a paid collector, as it has been found, from his local knowledge of the rate-payers, that he has collected considerably more money (from the same amount of assessment) than has been collected by a temporary overseer; considerably more than has paid his salary for collecting; consequently, our opinion is, respecting the second inquiry, that at no period could the order be revoked without serious inconvenience to this parish.

“To the 3rd, we beg to say, that we do not know of any person objecting to the continuance of the order.”

MILTON UNION :—“1. That great inconvenience would arise by the immediate revocation of the order for the appointment of the collector to the Union.

“2. That the appointment, having proved so highly beneficial, could not at any time be revoked, without serious inconvenience and injury to the Union at large.

“3. That no person in the Union is known to entertain any objection to the continuance of the order.”

NEWPORT UNION, Monmouth :—“No person in the Union is known to entertain any objection to the continuance of the order ap-

pointing a paid officer 'to' collect poor-rates; and much inconvenience would in their judgment be occasioned to the parish officers of Newport and St. Woollos, were they to be deprived of the assistance of the person appointed to collect poor rates within those places."

NUNEATON UNION:—"Your printed communication respecting the removal of collector of rates was read to a full Board of Guardians on Saturday last, and it was unanimously agreed, first, that such officer could not be dispensed with in the parishes of Nuneaton and Chilverscoton, as the making out the rates and the collecting of the same takes such a length of time, that no person in trade could, without absolutely neglecting his business to a ruinous extent, be found to accept the office of overseer of the poor; secondly, that they could not anticipate any time when such officer could be dispensed with; and, thirdly, they are not aware of any person entertaining objections against the continuance of such officer; and as the present collector gave up an established trade in order that the whole of his time might be devoted to the duties of such office, and has since been unanimously approved of by the whole of both parishes, they consider it would be an act of great injustice to remove him."

ROTHERHAM UNION:—"The clerk informed the Board, that every guardian had had notice that at this meeting the letter of the Poor Law Commissioners of 31st May last, respecting the assistant overseers, would be taken into consideration, when the Board proceeded to take the same into consideration accordingly; and it was unanimously resolved, That it would be exceedingly inconvenient that any order of the Commissioners for the appointment of an assistant-overseer should be revoked at present, but that it was desirable that every revocation should be suspended for the period of three months, if necessary, in order that the intentions of the Legislature, as to the authorising the Commissioners to issue such orders for the future, might be ascertained."

SAFFRON WALDEN UNION:—"It appears that one order only has been issued within this Union for the appointment of collector of the rates, and that for the parish of Saffron Walden; and this Board are of opinion, that as the rate-payers in that parish (with a population of about 5000) are very numerous, great inconvenience would arise from the revocation of the order, and it does not appear that any person is known to entertain any objection to the continuance of it.

"It further appears that the parish of Saffron Walden has had such a paid officer for 50 years past."

SHARDLOW UNION:—"To large parishes, it would be attended with very serious inconveniences as well as a loss in the rates by fresh individuals collecting them; every overseer would only begin to know his duty when going out of office. * * *

"If revoked, many overseers would sooner pay the penalty than serve the office; and whether revoked sooner or later, it would be a serious inconvenience."

SOLIHULL UNION:—"The poor rates within the Union were very irregularly collected previously to the appointment of a collector; and very great inconvenience would arise if your order was immediately

revoked, for the present overseers] are appointed with the understanding that they are not to collect the rates."

SOUTH SHIELDS UNION:—"It is the opinion of this Board, that serious inconvenience would be incurred by a revocation of the order, and more especially that the rates would not be so effectually collected without a paid officer; and no person is known to entertain any objection to the continuance of the order."

SPALDING UNION:—"Resolved—That the clerk do reply to such circular, that this Board is not aware of any serious inconvenience that would attend an immediate revocation of the order above mentioned, further than what would attach personally to the several overseers of the different parishes of the Union (unless, however, the validity of any rates might be affected by the proceeding); but that to those officers the Board is of opinion the inconvenience would, in many cases, especially in Spalding and the larger parishes of the Union, be very serious indeed; and, in short, so much so, that it would be very unreasonable to expect, and scarcely possible to have the rates collected, the general duties of overseers performed, and the accounts kept with that regularity and efficiency with which those several offices are now discharged.

* * * * *

"And the clerk was further instructed, on making such communication, to express the earnest hope of this Board, that the Poor Law Commissioners will be pleased to use their utmost endeavours towards procuring some legislative enactment for remedying the difficulty referred to forthwith, or upon the earliest practicable occasion."

STEYNING UNION:—"A great inconvenience would arise to the parishes to which the paid officers are appointed, because there are many small tenements therein, and many of the occupiers are mariners and seldom to be found at home, and the overseers would have very great difficulty in collecting the rates."

STRATFORD-ON-AVON UNION:—"Serious inconvenience would be occasioned in this Union by the immediate revocation of the order, by reason of there being a great number of rate-payers in those places for which collectors are appointed, and a considerable number of them small ones, consequently great difficulty is experienced in collecting the rate; moreover, the parishes for which collectors are appointed, are several miles in extent."

STOURBRIDGE UNION:—"It was unanimously resolved, that very serious inconvenience would arise by the revocation of the order of the Commissioners authorising the appointment of collectors, and that this Board trust that no steps will be taken by the Poor Law Commissioners to rescind such order. That the Board are not at present able to specify a time when the said order can be revoked without serious inconvenience arising, and the Board are not aware of any person in the Union entertaining any objection to the continuance of the order."

SUNDERLAND UNION:—"The Board of Guardians consider an inconvenience would arise from the immediate revocation of the order, inasmuch as the Union would be without competent collectors, and that, until new appointments were made, the collecting of the rates would devolve upon the overseers, whose office since the appointment

of paid collectors has fallen very much into disuse, the overseers having, from some cause or other, evinced an apathy, and ceased to take the same interest in parochial affairs they were accustomed to under the old system."

SWANSEA UNION:—"There has been only one collector appointed in this Union under your order, which was for the town and franchise of Swansea; and it is the opinion of the Board of Guardians, that the greatest inconvenience would be felt by the immediate revocation of the order, as, from the amount of the rates and the number of assessments, great difficulty is experienced in the collection even with the assistance of the paid collector.

"2. The earliest time at which the order can be revoked without serious inconvenience?"

"Whenever the order should be revoked, the most serious inconvenience will be felt."

ISLE OF THANET UNION:—"1. That, in the opinion of the Board, the revocation of the permission issued by the Poor Law Commissioners to pay officers adequate salaries for the collection of the rates, would occasion an immediate stoppage in the collection of such rates, and that great confusion in the business of the Board must inevitably ensue.

"2. That it appears to the Board to be highly important, that the Poor Law Commissioners should apply to Parliament during the present session for full power to grant adequate salaries to collectors of rates employed by Boards of Guardians, so that encouragement to appeals against such payments may no longer be supported by law."

TICEHURST UNION:—"1. Great inconvenience would arise from the want of attention by the unpaid overseers in collecting the rates and performing other parochial matters, all of which have been much better attended to since the appointment of collectors than before. The overseers were generally in arrear in times when there existed no material difficulty in collecting the rates; and if they resumed that duty at the present time, when, in consequence of the depressed state of the hop trade, it is so difficult to obtain the money, the arrears would probably be much greater.

"2. Upon the grounds stated in the preceding answer, it is considered that, whatever time is fixed for revocation of the order, it would produce serious inconvenience.

"3. The Board of Guardians are not aware that any person in the Union is known to entertain any objection to the continuance of the order."

WARMINSTER UNION:—"There are four parishes in this Union affected by the orders, viz., those of Warminster, Longbridge, Deverill, Heytesbury, and Sutton Veney.

"The unexpected decision of the Court of Queen's Bench will seriously inconvenience the parishes acting under the Commissioners' orders already issued, if the Commissioners are induced immediately to revoke those orders in consequence of such decision. I will therefore answer your three questions as they stand in your circular:

"1. Great inconvenience would arise by the immediate revocation of the order, more particularly in Warminster, a parish very wide indeed,

and containing nearly 7,000 inhabitants. The assistant-overseer is a correct and steady man, and the whole rate is almost invariably collected to the satisfaction of the officers and paymasters, and the salary is more than saved by his perseverance, contrasted with what would be done by overseers appointed without pay, and who could, as tradesmen and farmers, only partially attend to the duties. The other parishes are very wide, and the overseers appointed by the magistrates would, as a matter of necessity, leave the duty to a certain degree undone, and losses would thereby be incurred. The other remarks as to Warminster parish equally apply,

“The whole four parishes wish the orders continued, at all events until Lady-day, 1840, when a fresh appointment of overseers will take place, who will be made acquainted fully with the duties they will have to perform.

“No objection whatever seems to be entertained by any person in the Union, that can be ascertained, to the continuance of the orders.”

WEST HAM UNION:—“The Board are of opinion,

“1st. That very great inconvenience would arise in this Union by the immediate revocation of the order, as the several parishes therein have rates lately made, which are only in part collected; the sudden withdrawal of the collectors would, therefore, prevent the parish officers from meeting the calls of the Guardians with that punctuality which is requisite; added to which, the absence of that control of the Guardians over the collectors, which now induces due vigilance and uniformity in the collection, would be a serious evil.

“The parish officers, who (strictly speaking) are bound to collect the poor rates, being chiefly composed of mercantile gentlemen engaged in business in the City daily, or of persons engaged in trade, would be unable to perform that duty, and the parishes would of necessity be compelled to resort to their former practice, viz., the appointment of an assistant-overseer for each parish, under the 59 Geo. III., c. 12.

“This is some portion of the nature of the inconvenience that would be incurred in this Union; and the amount, in a pecuniary point of view, would be not only the difference between the salaries of the assistant-overseers, and the poundage at present paid to the collectors, but the probable loss that would accrue by the delay in the collection of the arrears consequent on such change; and if no paid officers (with security) were appointed, the possibility (however remote) of further loss by defalcation, is to be considered.

“2nd. The Board cannot state any time at which the order can be revoked without serious inconvenience; but they submit, that to enable the present collectors to get in the rates already made, and the several parishes to provide for the future collections, it would be preferable to permit the present order to continue uninterruptedly in force, as long as it may be possible.

“3rd. It is not in the knowledge of the Board that any person in the Union entertains any objection to the continuance of this order; on the contrary, several of the parishes have appointed the Union collectors as collectors of other local rates, and have thus evinced their satisfaction, both as respects the individuals and their office.”

WHITTLESEY, BOARD OF GUARDIANS:—“In consequence of the large extent of the united parishes of Whittlesey, the rates are collected

with considerable difficulty, and engage a great part of the time of one individual to collect the same, make out the rate-books, and prepare receipts; to impose which duties upon the overseers, who are individuals much employed with their own affairs, would be attended with a serious inconvenience."

WOKINGHAM UNION:—"With respect to the collector for the parish of Wokingham, there exists no objection whatever to the appointment; it would be of serious inconvenience to revoke the order, as the parish is very large, and the four overseers could not fairly divide the duties; and it is the wish of the parish that the order may be allowed to remain in force as long as possible."

WOOLSTANTON AND BURSLEM UNION:—"The Board of Guardians are of opinion the immediate revocation of the said order would cause a suspension of the collection of the poor rates, and a poll of both parishes in the Union."

WORTLEY UNION:—"Great inconvenience would be incurred to the townships in this Union, for which paid officers to collect the poor rates have been appointed, by the immediate revocation of the order to appoint those officers; the townships of Ecclesfield and Bradfield being very populous and extensive, it would be impossible for the overseers to collect the poor rates unless they gave up their business, and devoted the whole of their time for that purpose; and indeed, were they to do so, they would have to employ the present paid officers to assist them, as they have had the collection of such rates and the management of the business for the townships for which they are respectively appointed for upwards of 20 years; besides which, the Guardians have contracted with those paid officers to the 25th day of March next, therefore consider themselves bound to pay their salaries to that time."

GREAT YARMOUTH, BOARD OF GUARDIANS:—"The greatest inconvenience would follow the revocation of the order; and when it is taken into consideration that Yarmouth, with nearly 30,000 inhabitants, consists but of one parish, and that the parish authorities are but now recovering from the confusion caused by a poor rate under the new valuation having been quashed, the injurious effects will be obvious.

"2d. It appears to the Guardians, &c., that as the overseers of so large a parish cannot, as unpaid officers, be expected to collect the poor rates, an order authorising the payment of officers employed in that service cannot be dispensed with."*

Since it appeared that much inconvenience and confusion were likely to ensue from the sudden revocation of the orders for the appointment of collectors, a clause, legalising the orders of the Commissioners for the appointment of collectors by Boards of Guardians, was introduced into the Act of 2 and 3 Vict. c. 84, at the suggestion of Her Majesty's Government.

* All the answers of the Boards of Guardians to the circular of the Commissioners, together with a list of the parishes and unions to which orders for the appointment of paid officers to collect poor-rates have been issued by the Poor Law Commissioners, and a specimen copy of each variety of order for such officers, were printed by order of the House of Commons, 6th August, 1839.—(Parl. Paper, No. 492.)

This clause makes valid every order authorizing a Board of Guardians to appoint a collector of rates, which was issued by the Commissioners before the 6th of May last. The number of parishes to which such orders apply is about 4,600, and they naturally comprehend those places in which the services of a paid collector are most needed. But since the appointment of paid collectors by the Boards of Guardians appears, by unquestionable evidence, to have been generally beneficial, and since Parliament has sanctioned the orders for this purpose which had been issued by the Commissioners before the 6th of May last, we submit to your Lordship the propriety of generalizing the power, and of enabling the Commissioners to authorize Boards of Guardians in every case to appoint paid collectors of the poor-rates.

VII. The few observations upon the subject of Parish Property which we have occasion to address to your Lordship, have reference only to the necessity of rendering safe those transactions which have already taken place in disposing of such property, and of facilitating the like transactions where the intention of the Legislature to authorize them has been evidently shown.

Under the powers conferred upon Boards of Guardians by the 5 & 6 Will. IV. c. 69, and the 1 & 2 Vict. c. 50, a large amount of property, consisting, for the most part, of small cottages and tenements, has been disposed of. The greater portion have been represented to us by the parochial authorities as dilapidated and ruinous. Houses built on wastes by persons who became paupers have fallen into the possession of the parish officers, and have been held by them as receptacles for other poor persons. In other instances, parish officers have bought up the interest of some poor freeholders, to prevent the cottages or tenements becoming the property of others who would become a burthen upon the parish, through the settlement acquired by such purchase. We have not unfrequently traced in the purchases the successful scheme of making a parish pay off a hopeless mortgage, by the parishioners being induced to purchase a house subject to such mortgage, in which case they either took upon themselves the payment of the interest, or paid off the mortgage, and borrowed the amount from other persons, to whom the premises were mortgaged again to secure the repayment. It is scarcely necessary to observe the complication of these transactions, and the expense incurred in the mere preparation of the conveyances.

A very considerable amount of this property was of copyhold tenure, and consequently the parish officers were unable to hold it in their corporate capacity, which, indeed, was only conferred upon them by the 59 Geo. III. c. 12; consequently the property was vested in trustees who were admitted upon the court rolls.

These trustees thus had a species of control over the estate, and, to some extent, assumed the power of interfering in the management of it. A more serious evil arose, however, from the necessity which continually occurred of making fresh appointments on the death or absence of such trustees. Fines and sometimes forfeitures were incurred, and heavy expenses often fell upon parishes at irregular intervals, and at unexpected times, to ascertain the fate of their trustees, and to procure fresh admissions.

A number of cases have been brought before us, where parishes have taken possession of land, houses, or buildings, affected with some charitable or other trust, which prevented the same from being available to the purposes of the poor-rate. Upon this property the parishes have expended large sums of money out of the poor-rate, and have converted them into habitations more or less commodious for the parish paupers. This has been done sometimes with the concurrence of the trustees of the property, but generally in cases where there are no trustees, and often where the trust is of so vague and indefinite a nature, that it is difficult to ascertain for whose benefit it was created. Where the Union workhouse has been erected, these houses have become no longer requisite for the paupers, and the parish officers have found that they cannot pay for the repair and sustentation of the property out of the poor-rate. The houses therefore become dilapidated, and in some cases are described to us as complete nuisances. We are not empowered to sanction the sale, and it is manifest that the jurisdiction of the Lord Chancellor is not likely to be applied to in such cases. We cannot prescribe any course to be adopted; but we think it right to suggest that the property might be sold either by the trustees, where there are such, or under our orders as in other cases, where there are none, and that the purchase-money should be invested to abide any order that may be made by the Lord Chancellor in reference thereto, the parish receiving the dividends or interest thereon until any such order shall be made.

These few observations respecting property, upon which our remarks might be greatly extended, will suffice for our present purpose.

We have used the greatest care in investigating, to the utmost of our power, the titles possessed by the parishes in the property which they have wished to sell, and we have endeavoured not to allow any sale to take place, where we have had any doubt as to the right of the parish to sell. The amount of interest has been sometimes very trifling, though saleable. We are happy to state that upon the vast number of sales, which will be seen from the tables contained in the Appendix to our Fourth and Fifth Annual Reports,* scarcely any questions have arisen as to the right of the parishes to sell, in those cases where the sales have been sanctioned.

* Fourth Report, App. C., No. 5; Fifth Report, App. D., No. 5.

The application of the produce of the sale was committed by the legislature, in the 5 & 6 Will. IV. c. 69, to our control, and we have endeavoured to carry out the directions contained therein according to their spirit. We have thought that this property should be in all cases applied to the reduction or discharge of the liabilities and debts of the parish, in the first place. We have therefore considered ourselves bound to reject many schemes and suggestions, of apparent utility and advantage, for the disposition of the produce of these sales. The statute 1 & 2 Vict. c. 25, has enabled us to apply such produce in payment of many equitable claims, but is not of so extensive an operation as to enable us to satisfy all the applications which have been made to us. We are not disposed to ask for its extension; at the same time, if it shall be thought right to enable us to apply the produce of any sale to the payment of other debts which have been incurred through the ignorance or improvidence of former rate-payers, we shall feel no indisposition to act occasionally upon such powers.

In carrying into execution the powers of the 5 & 6 Will. IV. c. 69, we have met with some difficulties; and doubts have been suggested which can only be removed by the assistance of Parliament.

It has been requisite in some cases for Boards of Guardians to apply for the purchase of land belonging to the Duchy of Cornwall for the site of a Workhouse, but the 1st section of that statute not being applicable, we think it desirable that further powers should be given in favour of the Boards of Guardians with reference to this property.

The 3rd section of that statute was manifestly intended to enable a sale of the property of Unions, and the property of parishes under all circumstances, but from the frame of the clause giving the powers, it is not clear who are the parties empowered to sell where the property belongs to a parish forming part of a Union, and not having a separate Board of Guardians. It may be contended, that the Guardians of the Union may sell, or that the overseers may sell, and it has been denied that either Guardians or overseers can sell. The power ought to have been given distinctly and separately in each case. We do not ourselves entertain any doubt upon the construction of the Act, but we are bound to state that objections have been taken by conveyancers.

There is a case not provided for by that statute, in which several parishes are jointly interested in property, not having been formed into any legal Union before the 4 & 5 Will. IV. c. 76. These parishes are in some cases comprised in some new Union, or are partly in one Union and partly in another. There is no means at present of disposing of their property, which may be no longer of any use to them, and which is only becoming dilapidated or wasted. Even if there be trustees, there is no power to sell the

same, and there is sometimes a difficulty in ascertaining the trustees. It is advisable that provision should be made for the sale of such property.

Doubts also have been raised as to the proper parties to convey the property belonging to dissolved Unions; and it is desirable that these doubts should be removed by the Legislature.

The same statute provided a short form for the creation of charges upon the poor-rates by Boards of Guardians, but the 6th section confines its use to securities, and assignment of securities under the authority of that Act. Now as no securities are given under the authority of that Act, the provision is inoperative, and the parties advancing money are advised to require long and consequently expensive forms of conveyance. It is therefore desirable that a fresh form should be given, concise, yet sufficiently clear to answer all the purposes of a charge; and we think it desirable that such charges should be registered, as was intended by the legislature in that Act.

By the 7th section the Guardians of a Parish or Union are made a Corporation for the purposes of that Act. Difficulties continually occur from the doubts whether the Guardians are to act by a majority of any meeting, or whether the absolute majority of the whole number of Guardians is requisite to render any Act valid. It appears to us that it will be most advisable that the Guardians should be constituted a Corporation for all purposes, with a proper restriction upon them so as to prevent the corporate seal from being improperly used.

VIII. We have already reported specially upon the subject of some miscellaneous charges which have been defrayed out of the poor-rate, or which it was, in our opinion, desirable to allow to be so defrayed: and therefore, on the present occasion, we will only recall to your Lordship's recollection the report contained in the Appendix to our Third Annual Report—(1837).*

Since the date of that Report, a power has been given by the Act of the 2 & 3 Vict. c. 71. s. 41, to Guardians, or parish officers, with the medical officer, of any Union or parish within the Metropolitan Police district, to require, under the authority of a magistrate, the occupier of any house in a filthy and unwholesome condition to cleanse it; and if it be not cleansed within seven days, to cause it to be cleansed at the expense of the occupier. It has been stated to us, in a communication from one of the Metropolitan Unions, (in which its operation would have been very beneficial), that the clause would have been more effectual, if the remedy for recovering the expenses had been given against the landlord instead of the occupier; inasmuch as the houses to which the remedy applies are frequently subject to changes of occupiers.

* Third Annual Report, App. A., No. 1.

We beg leave to recommend that authority should be given to pay, out of the poor-rate, such expenses as may be reasonably incurred in apprehending and prosecuting offenders deserting their families, guilty of misbehaviour in Workhouses, of violence or obstruction to parish or Union officers, of abstracting, wasting, or injuring the property vested in guardians and parish officers for the relief of the poor; and in prosecuting parish officers guilty of offences in their offices—classes of offences which, under the present law, may to a great extent be committed with impunity, through the absence of personal inducements to prosecute, and of means of paying expenses from any public fund. As more immediately affecting the administration of the Poor Law Amendment Act, we have no hesitation in recommending that all such expenses, so far as they may not be defrayed by the offender, or out of the county rates, should be paid out of the poor-rates of the parish immediately protected by the proceedings, or by the whole Union, or such parishes within it as the Board of Guardians may direct.

For some remarks on the present state of the law relating to prosecutions, under the Vagrant Act, of persons neglecting to maintain, or deserting, their families, we refer your Lordship to an extract from a Report by Sir Edmund Head, inserted in the Appendix.*

The want of a fund for the payment of the expenses incurred in apprehending and convicting men who have deserted their families, is very extensively known, and affords to all, who have any inducement to leave their families, a strong reason for hoping that they may do so with impunity. This expectation of impunity has recently been aided by many powerful inducements, especially by the increased means of obtaining work at high wages afforded by railroads and other large improvements, as well as by mining operations, in which the nature of the employment renders the discovery and apprehension of the offenders difficult. In addition to these influences, there are others operating on wives, which render them indifferent to the absence of their husbands, and often positively interested in it. A married woman is not generally considered to be liable to maintain her children during her husband's lifetime. The freedom from this liability involves the consequence—that she is exempt from the obligation to accept relief with her children in the Workhouse, and also from the liability to be punished for deserting them. A woman, therefore, whose husband is not to be found, is in a condition superior, so far as the claim to relief is concerned, to that of the woman who has a husband present, needing relief for his family, with whom she may be required to accept it in the Workhouse.

It is unquestionable that the desertion by men of their families

* Appendix B., No. 4.

with the collusion of the wives has much increased since the Commissioners of Inquiry adverted to the subject. The misconduct, also, of women whose husbands are absent at sea, or suffering the sentence of the law, is more often remarked since it has become generally known that they can cast the burden of their children on the parish, without submitting, in their own persons, to the ordinary conditions attached to the receipt of relief by the able-bodied.

A power to pay the costs of prosecution will operate largely to prevent the original evil, so far as it depends on the act of the man.

In order not to diminish, by the operation of the Poor Laws, the reluctance of the wife to the absence of her husband, it appears to us to be sufficient to place her, during the absence of her husband, in that relation to her children in which a widow is placed by the present law. This, though a highly favourable situation for a married woman, will, we think, connect the wife with her children as effectually as can be done by the operation of a Poor Law.

Lastly, we will advert under this head to the mode of charging the cost of the relief of casual poor.

A great benefit has been obtained in Unions through which mendicants and vagrants are accustomed to pass, by the practice of giving tickets to beggars, and all persons apparently destitute. These tickets direct them to the workhouse, where such relief is administered to them as would be administered to destitute poor usually resident within the Union. The full advantage, however, of this practice cannot be obtained in the present state of the law relating to the relief and removal of casual poor.

A destitute person is relievable wherever he is found in a state of destitution. With respect to habitual beggars and vagrants, the places in which they are found are usually the main roads passing through the Unions; and the places where the Union officers first ascertain their destitution, and where the relief is actually administered, are usually the parishes in which the workhouses, or the residences of the relieving officers, are situate. In proportion, therefore, as effectual measures are taken in any Union for the giving of all necessary relief to casual poor, the burdens on certain parishes in that Union are disproportionately increased; and other parishes out of the main road, though freed by these measures from the mendicants and vagrants, who had previously circulated throughout the Union, cannot be charged with any portion of the burden.

Besides this inconvenience, there arises from the present state of the law a great amount of unnecessary contest and litigation between parishes, as to their respective liabilities to give relief to the casual poor. The practice of considering that parish liable in which a destitute person last slept, is obviously inapplicable

for the purpose of affording relief to the sudden wants of the mass of poor persons travelling on foot or by wagon, of habitual beggars and vagrants, of discharged prisoners travelling with passes, and similar classes of persons. This practice likewise constitutes a strong inducement, especially in small parishes, to prevent destitute persons from obtaining shelter, and to drive them into some adjoining parish. Very lamentable cases are thus produced, even in the rich and populous parishes of the metropolis, inasmuch as the object is not confined to the escape from the costs of immediate relief, but extends also to the avoiding of the permanent charge of relief to the pauper, or the great expense and difficulty (very often in the case of vagrants insuperable) of establishing a settlement in some other parish, with a view to the removal of the pauper.

When the claims to relief cannot be evaded, the same reasons operate as an inducement to parishes to afford insufficient relief to such unsettled paupers as cannot be placed immediately under orders of removal. By affording scanty relief, the burden is directly diminished, and an urgent motive created in the pauper to betake himself to any other parish in which he may hope to better himself. In this way casual paupers, whose settlements are in doubt, are frequently kept in a course of circulation amongst a number of parishes, to the cost and injury of each in its turn, and in a manner involving unnecessary hardship to the pauper, and frequently his serious demoralisation, by converting him into a common beggar or vagrant.

Very numerous applications have been made by Boards of Guardians to the Commissioners, to be permitted to make the costs of relief and removal of casual poor an establishment charge; that is, a charge to be borne jointly by all the parishes of the Union.

It appears to us that the change sought for in these applications can only be effected by the authority of Parliament; but we are satisfied that the alteration, with the corresponding modifications in the law of removal, would be of very large benefit, inasmuch as it would at the same time cause the adoption of much more general and effectual measures for the relief of all classes of casual poor, and would remove a great difficulty and constant source of contest in the administration of the Poor Laws.

We may add, that the mode of charging the relief of casual poor which we have just recommended, does not involve any novel principle; for by 33 Geo. III. c. 35. s. 3, the relief of casual poor was made a common charge for parishes united under Gilbert's Act.

We have now submitted to your Lordship a statement of the principal amendments which the laws for the relief of the poor

seem to us at present to require. These amendments, as your Lordship will perceive, principally relate to subordinate provisions of the Poor Law Act of 1834, or they are intended to supply some deficiencies in the machinery established by that statute. We trust, however, that the reasons which we have assigned for our recommendations will satisfy your Lordship that we have not lightly suggested any alteration or extension of the Act in question. The experience of more than five years has indeed proved that this important statute was framed with such skill, and that its provisions were so complete and effectual, as to accomplish all the main purposes for which it was passed by Parliament. But the Commissioners of Inquiry, who proposed this measure, were aware that it would not supersede all further legislation on the Poor Laws, and that the gradual operation of inevitable causes would disclose defects in the existing law which would demand the renewed attention of Parliament.

“ We entertain no hope” (they said in their Report, presented in 1834) “ that the complicated evils with which we have to contend will all be eradicated by the measures which we now propose. The mischiefs which have arisen during a legislation of more than 300 years, must require the legislation of more than one session for their correction. In order to secure the progressive improvement from which alone we hope for an ultimate cure ; and in order to bring the proceedings of the Commissioners more constantly and completely within the superintendence of the executive and the legislature, we propose that the Commissioners should be charged with the duty, similar to that which we now endeavour to perform, of periodically reporting their proceedings, and suggesting any further legislation which may appear to them to be desirable.”—(p. 341, ed. 8vo.)

These remarks of the Commissioners of Inquiry show that they anticipated the necessity of further improvements in the laws relating to the relief of the poor after the passing of the Poor Law Amendment Act ; and we think that we have merely discharged our duty in submitting to your Lordship a statement of the points most worthy of consideration, at a moment when Her Majesty’s Government purposes to introduce into Parliament a Bill for the continuance of the Poor Law Commission.

We have the honour to be,

My Lord,

Your Lordship’s faithful servants,

JOHN GEORGE SHAW LEFEVRE.

GEORGE NICHOLLS.

GEORGE CORNEWALL LEWIS.

(L. S.)

APPENDIX.

APPENDIX (A).

DOCUMENTS ISSUED BY THE BOARD.

No. 1.

(A.)—AMENDED FORM of ORDER prohibiting OUT-DOOR RELIEF to the ABLE-BODIED.

To the Guardians of the Poor of —————; to the Churchwardens and Overseers of —————; to the Clerk or Clerks to the Justices of Petty Sessions held for —————; and to all others whom it may concern.

(After Recital.)

We do hereby order, direct, and declare, that from and after the ——— day of ——— next, every able-bodied person, together with such of his or her family resident with and dependent on him or her, as may require relief, shall be relieved wholly in the Workhouse of the said Union, whether such relief be administered by way of loan or otherwise, save and except in the following cases:—

1. Where such person shall require relief on account of sudden or urgent necessity.

2. Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity, affecting such person or any of his or her family, or on account of the funeral of any of his or her family.

3. Where such person, being a widow, shall be in the first six months of her widowhood.

4. Where such person shall be a widow and have a legitimate child or legitimate children dependent upon her, and no illegitimate child born after the commencement of her widowhood.

5. Where the relief shall be required by the wife, child, or children of any able-bodied man who shall be in the service of her Majesty as a soldier, sailor, or marine.

Provided, nevertheless, that where any able-bodied man, not being a soldier, sailor, or marine, shall not reside within the said Union, but his wife, child, or children shall reside within the same, the Board of Guardians of the said Union, according to their discretion, may afford relief in the Workhouse to such wife, child, or children, or may afford out-door relief to any such child or children being within the age of nurture, and resident within the said Union.

And we do further order and direct, that in every case in which out-door relief shall be given to any able-bodied male person resident within

the said Union or to any member of the family of any able-bodied male person, on account of sickness, accident, or infirmity, a special entry shall be made in the minutes of the proceedings of the Board of Guardians of the day on which the relief is ordered or subsequently allowed, which entry shall contain an extract from the medical officer's weekly report, stating the nature of such sickness, accident, or infirmity; or if the Board of Guardians shall think fit, a certificate under the hand of a medical officer of the Union, or of the medical practitioner in attendance on the party, shall be laid before the Board, stating the nature of such sickness, accident, or infirmity, and a copy of the same shall be entered in the minutes of the proceedings of the said Board of the day on which the relief is ordered or subsequently allowed.

And we do further order and direct, that from and after the said — day of — next, no relief shall be given from the poor-rates of any parish or place comprised in the said Union, to any person who does not reside in some parish or place comprised therein, save and except in the following cases:—

1. Where such person shall require relief on account of sudden or urgent necessity.
2. Where such person shall require relief on account of sickness, accident, or bodily or mental infirmity affecting such person or any of his or her family, or on account of the funeral of any of his or her family.
3. Where such person, being a widow, shall be in the first six months of her widowhood.
4. Where an able-bodied person shall be resident out of the said Union, but the wife, child, or children of such person requiring relief shall be resident within the same.
5. Where the relief shall be required by the wife, child, or children of any able-bodied man who shall be in the service of her Majesty as a soldier, sailor, or marine.
6. Where such person being under the age of sixteen shall be maintained in a Workhouse or establishment for the education of pauper children situate in some other Union.
7. Where such person, not being able-bodied, shall, at some time during the year one thousand eight hundred and thirty-eight, have been in the receipt of parochial relief, not being then resident in the parish in which he or she was settled.

Given under our hands and seal of office, &c.

J. G. S. LEFEVRE.
G. C. LEWIS.

(B.)—INSTRUCTIONAL LETTER, issued with the foregoing Order.

*Poor Law Commission Office,
Somerset House, December, 1839.*

SIR,

THE POOR LAW COMMISSIONERS have had under consideration their Orders prohibiting out-door relief to able-bodied paupers, in reference to various points of construction and matters of practice which from time to time have arisen.

The Commissioners have now embodied in the accompanying Order the various exceptions and provisions which experience has shown to

be necessary—and they propose not only to issue the Order as now framed, in future cases, but to substitute it in those Unions to which any of the previous Orders prohibiting out-door relief have been issued.

The Commissioners request the attention of the Board of Guardians to the following remarks, in reference to those parts of the Order which appear to require explanation; and they are desirous that if the Guardians perceive any difficulty unexplained, they should communicate with the Commissioners accordingly, and make such suggestions as may occur to them.

1. The word “Loan” is introduced, in order to put an end to a misapprehension which existed in some Boards of Guardians, who conceived that although the Prohibitory Order prevented them from giving out-door relief, they might nevertheless lend it.

2. The expression “Such of his or her family, resident with, and dependent on him or her, as may require relief,” would in all cases include the wife of an able-bodied man, if resident with him, although she might be able to maintain herself, for all her earnings belong to her husband; and, therefore, if he requires relief, she also must be deemed to require relief. The expression “family,” includes both wife and children.

The Guardians, however, under this clause, need not require any child of an able-bodied person who can support itself to accompany its father into the Workhouse, if the parent should wish such child to continue in employment.

3. The second exception provides for the case of any able-bodied man who is himself insane, or any of whose family require to be relieved on the ground of insanity, infirmity, accident, or disease.

4. The exception of the case of funerals requires explanation. In most Unions to which the Prohibitory Order has been issued, relief has been given to able-bodied male persons, in reference to the funerals of their families, without requiring them to come into the Workhouse—and the Commissioners, although not unaware of the possibility of abuses arising as to this branch of relief, are not prepared to prohibit it in reference to the funerals of families of able-bodied persons. The Commissioners think, therefore, that it is better to notice it as an express exception, than to allow this relief to be given under a wide construction of the term “*urgent necessity*.”

5. The exception of widows during the first six months of their widowhood is adopted in conformity to the practice of a very well managed Union in Sussex, and with a view of enabling persons thus unfortunately situated to have an adequate interval for the purpose of making such arrangements for their support as their changed condition may require.

6. The exception in favour of widows whilst in employment, is one respecting which the Commissioners themselves entertain strong doubts, and they request that the Guardians will exercise great circumspection in applying it in practice. The Commissioners request the Guardians, when administering relief under it, to take into account, that when partial allowances of two shillings or half-a-crown a-week in aid of wages are made, they too commonly serve to excuse relations from the payment of contributions to a much larger amount; that the

out-door allowances when given indiscriminately in widowhood, tend to put an end to provident habits in respect of insurances in sick clubs or otherwise; that as regards widows or able-bodied women themselves, allowances from the parish made to them when in employment, do not always confer the advantages intended, inasmuch as their wages, as in the case of able-bodied men, are commonly reduced in consideration of the allowance from the parish, and such reduction of the wages combined with the excuse furnished to relations or friends from making contributions in aid, together with the pauper habits engendered, renders such allowances to widows in aid of wages an injury rather than a benefit to the class intended to be relieved; whilst in some districts the class of able-bodied women are so numerous that their labour (thus depreciated at the expense of the rate-payers) is substituted for the higher paid labour of independent labourers.

7. The Commissioners trust that the Guardians will seldom find that the ordinary rate of earnings of women is so low as not to enable them to support one child at the least—and that the Guardians will not adopt any such general rule as that of relieving all widows with one, or with any fixed number of children, without careful inquiry into the cases thus to be relieved.

8. The proviso applicable to the case of a wife whose husband is absent from her, either by desertion or otherwise, is necessary, owing to the state of the law applicable to women thus situated. It is held that in such cases relief to the children is not relief to the wife; consequently, the wife cannot be compelled to come with her children into the Workhouse. If, however, she require relief for herself, the Guardians may require her to receive it in the Workhouse; and if she require relief for her children, the Guardians may require such of them as are above the age of nurture to receive it in the Workhouse, whether she do or do not come into the Workhouse. As regards, however, the children under the age of nurture, the Guardians cannot remove them from the mother; so that if she require relief for them and them only, and she will not come into the Workhouse, the Guardians must give out-relief if such relief be necessary.

9. The state of the law in reference to married women already alluded to, and the peculiar rights and obligations of soldiers, sailors, and marines, render it desirable to give great latitude to the proceedings of the Board of Guardians in this respect. The fifth exception, therefore, allows of relief of any kind being given to them, whether in or out of the Workhouse, without requiring the husband to come into the Workhouse.

10. The clause which requires the entry on the Minutes of the medical officer's report, or a medical certificate in case of relief being given to an able-bodied pauper, on account of sickness, accident, &c., has been suggested to the Commissioners, in consequence of a tendency which has displayed itself in various parts of the country, to make exceptions to the prohibitory order on too slight grounds, and the Commissioners think that this provision will have the useful effect of calling the special attention of the Guardians to every such case.

11. Upon this portion of the Order the Commissioners have only further to observe, that, although the exceptions introduced in it are larger and better defined than those contained in the previous Orders,

yet it is upon the whole more restrictive than most of the previous Orders, inasmuch as it extends to single women, including those with illegitimate children, and to widows without children.

12. As respects that portion of the Order which relates to non-resident relief, the Commissioners desire to point out that after the close of the ensuing winter it will prevent new cases of non-resident relief, with the exceptions mentioned in the Order. On the other hand, it does not render it necessary that a pauper, in order to receive such relief, should actually reside in the parish to which he or she is chargeable; and in this respect it is rather less strict than the fifth rule in the original regulations, under which new cases of widows could not permanently be relieved, unless they resided within their parishes.

13. The Commissioners, however, have reason to believe that the fifth rule adverted to was differently construed in different Unions, and that for the most part it was acted on as if residence within the Union, and not within the parish, was sufficient, and to this construction the Commissioners are prepared to give effect.

14. Under the rule as now framed, Guardians are not prohibited from relieving paupers residing within the Union, but not within the parishes to which they respectively belong; the Commissioners, however, are far from wishing to encourage even this species of non-resident relief. It is true that the frauds and evils which are incidental to non-resident relief, in consequence of the want of inspection and the difficulty of transmitting the relief, do not occur with reference to paupers resident within the Union, who are within the reach of the relieving officers: but, nevertheless, the rate-payers of the parish charged with the relief, who, by means of the quarterly lists of paupers, can, by personal observation of those who reside in their parish, ascertain whether they are fit objects for relief, are deprived of this protection where the pauper for whom they pay is resident at a distant part of the Union. The relief of paupers out of their parish and out of the relieving district in which the parish is comprised is not unattended with difficulties both of a legal and practical nature, which are sufficient to make it desirable that the Guardians should not, without sufficient ground, permit new cases of this nature, even within the Union.

15. The Commissioners deem it right to add that, although the several exceptions on the second branch of the Order permit relief to be given to non-residents in sudden and urgent necessity, accident, sickness, or infirmity, yet they presume it will rarely be found advisable that these exceptions should be acted on; for circumstances of this nature usually require that prompt attention and vigilant care and inspection which can only be exercised by the Board within the district of whose immediate supervision the sufferer may be locally situated.

16. There is one class of cases, however, which must of necessity be excepted,—namely, where the head or any member of a family is afflicted with any mental or bodily infirmity which makes it necessary that he or she should be sent to some asylum, not within the limits of the Union, which is devoted to the relief of the infirmity in question. Unless in these cases, it will rarely be desirable that a family afflicted with any permanent sickness or infirmity should be relieved by a distant Union.

17. In conclusion, the Commissioners would remark that they are

aware that it is possible, although not probable, that cases may occasionally arise which present very peculiar circumstances, and which do not fall within any of the exceptions contained in the present Order. The Commissioners think it desirable in cases of that kind, in which the immediate withdrawal or denial of out-door relief may appear likely to produce serious evil to the applicant, that the Guardians should give out-door relief, or take a portion of the applicant's family into the workhouse, and report the case within the fifteen days required by the fifty-second section of the Poor Law Amendment Act, to the Poor Law Commissioners, as a case of particular emergency, in order that the Commissioners may give their opinion thereupon.

Signed by order of the Board,

EDWIN CHADWICK, *Secretary.*

To the Clerk to the Board of Guardians.

(C.)—FURTHER INSTRUCTIONAL LETTER, issued with the foregoing Order.

Poor Law Commission Office,

Somerset House, December, 1839.

SIR,

IN transmitting to you an Order for prohibiting out-relief to able-bodied persons, and also for prohibiting relief to persons not resident within their Union (with certain exceptions stated in the Order), the Poor Law Commissioners desire to call the attention of the Board of Guardians to the expediency of giving to the Order in question all the publicity of which it is susceptible. The Committee of the House of Commons, which reported on the operation of the Poor Law Amendment Act in 1838, recommended in general that the Regulations of the Commissioners should be promulgated as widely as possible; and the Guardians will, doubtless, see that this recommendation is peculiarly applicable to the present Order, inasmuch as it is most desirable that the persons to whom relief is either granted or refused should be satisfied that the grant or refusal is determined by fixed rules, and not by partial or temporary considerations.

For this reason the Commissioners deem it expedient that copies of the accompanying Order should be hung up in a conspicuous part of the Workhouse, and of the room in which the Guardians usually assemble.

Signed by order of the Board,

EDWIN CHADWICK, *Secretary.*

To the Clerk to the Guardians.

No. 2.

CIRCULAR relative to the APPOINTMENT of OFFICERS to collect the POOR-RATES.

Poor Law Commission Office,

Somerset House, May 31, 1839.

GENTLEMEN,

THE Poor Law Commissioners have to call your attention to the Orders issued by them to authorize the appointment by your Board of paid officers to collect poor-rates within your Union.

The powers of the Commissioners to issue such an Order, and of the Guardians to make appointments under it, have been called in question ; but the Commissioners were advised by their Counsel that the Commissioners' and the Guardians' authority were fully supported by the provisions of the 46th section of the Poor Law Amendment Act, as interpreted by aid of the definition of the term "Officer" in the 109th section, upon which provisions the terms of their Order had been founded.

The Court of Queen's Bench having, however, recently decided that the provisions of the Poor Law Amendment Act do not authorize the appointment by Guardians, under the Commissioners' Orders, of paid officers to collect poor-rates, it has become necessary to communicate with you on the course which the Commissioners are now prepared to pursue.

The Orders issued to your Union remain in force, notwithstanding any legal defect, until they are quashed (section 105), and until notice of that fact is sent by the Commissioners to the places affected by the Orders.

Orders of the kind described have been issued to a great number of Unions, and appointments have almost invariably been made under them by Boards of Guardians ; and, as their sudden revocation might, in many instances, be productive of serious inconvenience, the Commissioners wish to adopt that course with respect to each Union which the present circumstances appear to require.

The Commissioners will in no case defend any Order authorizing the appointment by Guardians of officers to collect poor-rates ; and they will issue a revocation of any such Order in every case in which they are informed that any objection prevails on the part of any person whatever to the continuance of the Order, and in every case in which the Board of Guardians are of opinion that an immediate revocation could be made without serious inconvenience.

On the other hand, where no objection prevails against the operation of the Order, and where the Commissioners are satisfied that it cannot be revoked immediately without serious inconvenience, they are prepared to suspend their revocation until it is ascertained whether the Legislature is prepared to enable the Commissioners to issue such Orders for the future.

The Commissioners, therefore, request that you will forthwith take the subject into consideration, and inform them—

1. Whether any inconvenience, and if so of what nature and amount, would be incurred in your Union by the immediate revocation of the Order.
2. The earliest time at which the Order can be revoked, without serious inconvenience.
3. Whether any person in the Union is known to entertain any objection to the continuance of the Order.

Upon receiving your reply, the Commissioners will consider of the steps to be taken.

Signed by order of the Board,
EDWIN CHADWICK, *Secretary.*

To the Board of Guardians
of the ————— Union.

COPIES of QUERIES submitted to Dr. ADDAMS on the Subject of the Performance of DIVINE WORSHIP in WORKHOUSES, and his OPINION thereon.

Queries.

1. Is it requisite that some part of the Workhouse should be consecrated to sanction a clergyman of the Established Church in performing the duties required by the Commissioners to be performed by the chaplain?

2. Can any clergyman of the Established Church perform such duties without being licensed thereto by the diocesan?

3. And without the consent of the incumbent of the parish in which the Union Workhouse is situate?

4. Does the incumbent or curate of the parish require any license from the diocesan?

5. Can a dissenting minister, being a Protestant, read prayers and preach to more than twenty persons in the Union Workhouse, being pauper inmates thereof, without the same being certified to the Bishop of the Diocese, or the Archdeacon, or the Quarter Sessions, and being registered in the Bishop's or Archdeacon's Court, and recorded at the Sessions under the 53 Geo. III. c. 155. s. 1?

Opinion.

1. I think that with the Bishop's license [see answers to the next query] it is not requisite that any part of the Workhouse should be CONSECRATED to sanction a clergyman of the establishment in the performance of any of the duties required of the chaplain of the Workhouse by the Poor Law Commissioners.

2. The answer to this question depends on whether the Poor Law Commissioners require of chaplains to Workhouses the "performance of divine service." I so express myself, because "reading prayers, &c., IN A PRIVATE FAMILY," is not a "performance of divine service," and it may be suggested that the reading of prayers, &c., in one of these Union Workhouses, to the pauper inmates thereof, is rather in the nature of reading of prayers, &c., in a private family, than in that of a regular "performance of divine service." Seeing, however, that these chaplains are required to preach, pray, and administer the communion regularly (though only to the inmates of the house—for how can such a house be deemed a private house?—and how can the inmates of such a house be assimilated to a PRIVATE FAMILY?), I am of opinion that the chaplains of those Workhouses are rather required to "perform divine service;" and consequently that, strictly speaking, the Bishop's license is necessary. For, strictly speaking, no minister of the Establishment is authorized to serve—that is, to "perform divine service" in any diocese without the license of the diocesan.

3 and 4. I think, strictly speaking, that the consent of the incumbent in whose parish the Workhouse is situate is also necessary; for as no minister of the Establishment can officiate, strictly speaking, in any diocese, without the license of the diocesan, so neither, in strictness, can he in any parish, without the consent of the incumbent. I think too that the Bishop's license may be necessary, in strictness, even though

the incumbent or curate of the parish in which the workhouse is situate be the chaplain.

5. By 52 Geo. III. c. 155, s. 2 (which, I suppose, and not 53 Geo. III. c. 155, s. 1, is *meant* to be referred to), no congregation or assembly of Protestants for religious worship shall be permitted or allowed, unless or until, &c., at which congregation or assembly "there shall be present more than twenty persons besides the immediate FAMILY and servants of the PERSON in whose house, or upon whose premises, such congregation or assembly shall be held; and every PERSON who shall permit or suffer any such congregation or assembly to be held in his house, or on his premises, unless or until, &c., shall forfeit for each offence a sum not exceeding £20, nor less than "20s."

I have cited (in substance) the whole of this legislative enactment, to make it apparent how difficult it is of application to the case referred to in this 5th question of prayers, &c., read by a dissenting minister in one of these Union workhouses to the pauper inmates thereof. When these paupers are assembled to hear prayers read, &c., by such dissenting minister, do they constitute a congregation or assembly for religious worship *within the meaning of the Act?* can they be considered in the light of "A FAMILY?" Is there any PERSON in whose house, or upon whose premises, such congregation is held, and who accordingly is liable to the penalties if held without the place of holding being duly certified? Upon the whole, I should rather say that the reading of prayers, &c., to the pauper inmates of one of these Union workhouses by a dissenting minister, does *not* render it requisite that such workhouse should be certified and registered under the Act of 52 Geo. III. And the rather, since (so at least it appears to me) there is or are no person or persons of whom the penalties incurred in default of its being certified and registered (supposing that to be requisite) can be *recovered*.

In conclusion, I beg to say, that I have found some difficulty in answering, and that I have not perfectly, to my own satisfaction, answered this last query (or indeed any of these queries), by reason that my opinion is asked almost throughout, in respect of the application of particular laws to cases which these laws never contemplated, nor by possibility could have contemplated; and with a view to which cases it therefore follows that those laws neither were nor possibly could have been framed.

J. ADDAMS.

Doctors' Commons, 22nd October, 1839.

APPENDIX (B.)

REPORTS OF ASSISTANT COMMISSIONERS, AND OTHER COMMUNICATIONS RECEIVED BY THE BOARD.

No. 1.

REPORT on the EDUCATION of PAUPER CHILDREN ; by E. C. TUFNELL, Esq., Assistant Poor Law Commissioner.

To the Poor Law Commissioners.

GENTLEMEN,

December, 1839.

It appears to me impossible to over estimate the importance of duly attending to the education of the pauper children, and to the fitting them for the stations they are likely to occupy in after life. The Kentish workhouses contain more than two thousand children, most of them orphans or deserted, or who, from some other cause, will be dependent till maturity on the parish; and the good or ill that may result to society, according as these large numbers are well or ill-instructed, the happiness they may enjoy or impart, the misery they may suffer or inflict in after life, as a consequence of their present treatment, makes this question one of fearful moment. Under the old system of poor laws, it is well known how frequently a family which once became pauperised remained so ever after: pauper parents reared pauper children; and thus habits of dependence on the poor-rates seemed to descend, as part of their natures, from generation to generation. To stop this hereditary taint would be to annihilate the greater part of the pauperism of the country; and that this may be done—that the children thus situated may be so brought up as to make it a moral certainty that they shall never in after life become dependent on the rates, but always maintain respectable and independent stations—may, I think, be proved to demonstration. This result, however, will not be effectually attained by our present poor law arrangements, and the experience of four years has convinced me that considerable modifications are required to work out this desirable end.

The evil which is at present felt to a considerable extent, arises from the difficulty of imparting to workhouse children such an amount of religious and industrial instruction as shall make their services of sufficient value to induce persons to take them out of the workhouses; in them, consequently, they frequently remain long after the time when they ought to be earning an independent livelihood. Several Boards of Guardians have made to you serious complaints of the difficulty of disposing of their pauper children; and from applications for advice how to act under these circumstances, I select the following from the Eastry Guardians:—

“The attention of the Board of Guardians having been requested by the Governor, at the weekly meeting held yesterday, to the number of boys now in the workhouse who are fit for service, and willing to be engaged in any employment which can be offered for them, with the probability of maintaining themselves without further charge to the

Union; submitting, at the same time, a list of names for the consideration of the Guardians of boys whose ages are from 13 to 16 years; the Guardians being also satisfied that the subject is one of very grave importance, and seeing that no present opportunity offers for obtaining that employment, which is so desirable to prevent an habitual taste for the workhouse, and to subdue a disposition for pauperism, it was unanimously determined that the Poor Law Commissioners be requested to advise the Guardians as to the best means to be adopted for obtaining services for about 12 or 14 very promising boys; the Guardians being of opinion that the children of the independent labourers have the first claim upon them, and that it is requisite a wider field should be sought for the children who are brought up in the workhouse."

The following is from the Tenterden Board:—

"The attention of the Board has been painfully directed for some time past to their total inability to dispose satisfactorily of their great boys (orphans). They are become unfit for the school, and when removed to the able men's ward, evince no particular desire to leave the workhouse. The Board of Guardians have sent to their parishes, from time to time, lists of the boys fit for service, and requested the parish officers to endeavour to find service for them, but they have not succeeded.

"What is to be done with great boys?—is a common question, not only at the Board, but out of doors, and it is a question which the Board most respectfully ask of the Poor Law Commissioners.

"Can the Board of Guardians be allowed to offer premiums to apprentice them to trades in the larger towns?—and they will most thankfully receive suggestions of any method by which their youths may be placed in situations in which they are likely to become useful members of society."

The preceding two instances will be felt to illustrate the difficulty adverted to the more forcibly, when I add that both Boards of Guardians have taken not a little care, and incurred expenses, in order to bestow on the children such an education as shall qualify them for the stations they are likely to fill, but with what success the above complaints will show.*

It appears to me that the evil in question may be readily traced to its source, and that it is entirely owing to the impossibility, with our present

* While I am correcting this sheet, the following application has come to you from the Rye Guardians:—"In consequence of the increasing number of orphans and illegitimate children in the workhouses, the Guardians took into their consideration at their meeting on the 20th instant the propriety of adopting some mode for the purpose of getting such of these children as are able into service, when it was resolved that application be made to you for your sanction and authority to the Guardians, paying a small sum weekly to those persons who will take into their service, from the workhouse, any orphan or illegitimate child under sixteen years of age, until the Guardians shall see fit to discontinue such payment, as otherwise there appears great uncertainty of such children obtaining situations. There appears almost a proportionate decrease of the number of children in the workhouses belonging to able-bodied paupers; the reason for which, to a considerable extent, it is believed, arises from the children having greater advantages in obtaining situations through their parents than those children in the workhouses being orphans or illegitimate; and the Guardians are unable to suggest any better mode of relieving the parishes of the burden of maintaining so many children of the latter description than that stated in their resolution of the 20th instant."

workhouse arrangements, of giving an appropriate education to the children. You are aware how thoroughly this difficulty has been conquered at the Norwood establishment, where, of the 1100 children it contains, it is rare to find any above the age of 13, unless they have been admitted at or above that age; so readily do they, for the most part, get into service without premiums. But insurmountable obstacles oppose any attempt to imitate the regulations of that establishment in country workhouses. In the first place, the expense would be too great. In the Norwood house, one superior workman is found capable of instructing 100 boys in the business of tailoring; that number being divided into classes of 50, who are taught on alternate days. There are very few country workhouses which could furnish 10 boys, whom it would be desirable to instruct in this species of industry; consequently, it would cost as much in the teacher's salary to instruct 10 boys in this art, in a country workhouse, as 100 at Norwood. Again in that establishment, one master is found capable of superintending a class of 130 children in the intellectual and religious part of their education, during a portion of every day's school routine. Some country houses contain 130 children, but they are of all ages; consequently, in order to instruct them as efficiently as at Norwood, it would be necessary to divide them into at least six departments, and have six masters instead of one. But here again another inconvenience would occur, as many of the classes would be too small for efficient teaching; and how would this difficulty be increased in nine-tenths of the Unions, which, in fact, do not contain one quarter of these numbers! No school can be properly conducted without classification, but classification is impossible without numbers, unless individual teaching be resorted to—a method which is far too expensive, and least attractive and useful; and not one Union in ten contains a sufficient number of children for carrying out this important arrangement even to a tolerable extent. It is true that considerable improvements might be made in the present system, were the Guardians to engage a number of competent instructors at considerable salaries; but the expense would be so disproportionate to the number of children to be benefited in each instance, that Boards would never agree to incur it, and, were they to incur it, the main end in view, owing to the deficiency of numbers, would be only partially attained.

But by far the worst evil to be apprehended from the present system arises from the danger of sending forth into the world a set of beings, vicious in habit and pauperised in feeling, to be future burdens on the parochial rates, or candidates for the gaols and hulks. If there be any truth in the maxim, "As is the master so is the school," there must assuredly be in many workhouses little chance of the children ever becoming high-minded and respectable members of society. There is no class of officers of whom such continual complaints are made, or for whose dismissal you have been called upon to issue so many orders. I need not call to your recollection the numbers you have been obliged to discharge for drunkenness or other immoralities. I have reason to believe great cruelties are practised, at times, on the children, which probably do not always come to light, as a schoolmaster has no difficulty in awing an unhappy orphan, who probably has not a

friend in the world, into silence, and suppressing all complaint. In one case a child was beaten so severely, that, had not the punishment been stopped by the fortunate entry of the governor into the apartment, death would probably have ensued. In another, a schoolmaster was in the habit of tying up with a handkerchief the jaws of those boys whom he thought deserving of punishment, to prevent their screams being heard, and then beating them in the most savage manner. The persons who were guilty of these cruelties had been village schoolmasters, where they could not have practised such conduct, as a child so treated would immediately have complained to its parents, and would have been taken away from the school, which would quickly have shown the master, from policy, if not from charity, the necessity of mildness in future. But where is a poor friendless orphan or foundling (for of these classes a great proportion of the workhouse children consist) to turn for assistance, when it knows no one on whom it can place confidence, or to whom it can utter complaints? Hence it seems incumbent on us, for humanity's sake, to be doubly cautious whom we select as schoolmasters for children thus situated, that is, whom we make rulers of these little worlds, lest we introduce a tyrannical despot rather than a father. A bad schoolmaster almost invariably endeavours to maintain his authority by harshness and cruelty; a good one, by winning the favour and affection of the children, which is quite compatible with good discipline. The following is extracted from a letter of a chaplain to a Union workhouse:—

“The evidence I produced against that man (the schoolmaster) was quite disgusting in its nature; but if you wish to have a copy of it, it shall be sent you. I do not believe that you have ever yet met with circumstances showing so strongly the necessity of extreme caution in sanctioning the election of a schoolmaster.

“I now have a schoolmaster and mistress of good principles; but for which I should still know nothing of the real state (morally) of the Union house. Their faithful discharge of duty has enabled me to exclude a man, who, when schoolmaster, endeavoured at least to seduce several of the elder girls in the school.”

Again, a frequent cause of complaint against the schoolmasters is their incompetency or neglect to attend to the industrial education of the children. They have been accustomed to village teaching, where the intellectual department is alone attended to or necessary; but workhouse instruction, if properly conducted, differs in one essential point from that which is communicated in other schools, since it is absolutely necessary that the children should be taught manual labour, and be accustomed to use their hands as well as their heads. Otherwise the inconvenience is felt, which appears in the complaint that I have frequently heard from farmers, that the boys taken into their service from the workhouse can read and write pretty well, but can do nothing else, and therefore are hardly worth their wages. Not the least injurious result of this defect is the disrepute which it has the tendency to bring on intellectual instruction altogether. A farmer will say, for instance; “That boy, sir, can read and write, and say his catechism as well as our parson; but he is not half the use to me that that other little fellow is, who never was at school in his life, and knows as much of A, B, C, as my horses.

I don't see what is the use of education!"* Except in a very small school, it is not absolutely necessary that the master should be especially qualified to instruct the children in shoemaking, tailoring, and other branches of manual labour, as it would be best to engage workmen of these trades to teach them; but it is his duty to superintend the industrial masters, and to regulate the hours of attendance at the respective occupations; and unless he has a clear conviction of their importance to the future welfare of his charge, and so much practical acquaintance with them as to be capable of judging of the goodness of the work, it is clear that this part of the school business will never be properly attended to. It is, however, in all cases desirable that he should teach the gardening himself, as this forms a healthful and agreeable variation to his in-door instruction, which latter need not last more than three hours daily.

Sometimes a master, tolerably well qualified in other respects, will err from an incapacity to maintain discipline among his pupils,—an instance of which lately occurred, where, in the course of a month, a considerable school got into such disorder, that, as I was informed, the smallest boy was master of the schoolmaster, who, consequently, had to be peremptorily discharged; in a school where the children board, the maintenance of correct discipline is of supereminent importance; in fact, without it, no workhouse school can be even tolerably conducted. But by far the worst fault I have to find with the present schoolmasters is the total incompetency of a majority of them in an intellectual point of view. Many of them cannot explain the simplest passage in Scripture, and, consequently, all their teaching is by rote, which of course makes no impression on the boys, and is forgotten as soon as learned; or, what is worse, it makes an erroneous or heretical impression. I could mention several remarkable instances of this result, one of which I will give. The real meaning of the words of the Catechism, in that part which relates to the Holy Eucharist, is very difficult to be collected. The teachers are not capable of giving an explanation; and consequently the majority of the children, *i. e.* the duller ones, attach no meaning to the words at all, and they pass from them as from so much Greek, while those children who think at all, get from the passage the doctrine of transubstantiation.

The extraordinary blunders I constantly hear committed by the schoolmasters in teaching the children are almost incredible. An hour before I am writing this, I requested a workhouse schoolmaster to examine his pupils in the last chapter they had been reading, which hap-

* I invariably find that the hostility which some persons profess to education resolves itself, on explanation, into hostility to half-education or mis-education. They seize hold, for instance, of some such case as that mentioned above, where a boy has only been half-educated, and an essential part of what a youth so situated ought to have been taught, *viz.*, some industrial pursuit, omitted, and triumphantly ask whether his education, *i. e.*, really his mis-education, has fitted him for his station. Of course it has not, since he has not been educated, but mis-educated. Education, if it means anything, must mean that which fits a child for its future station and prospects. Nothing else has any title to the name, on any fair construction of the term. To talk of an education that unfits children for the lot they are to occupy, and renders them dissatisfied with it, is as reasonable as to talk of a black white, long short object.

pened to be part of the 4th St. John; when, amongst other blunders, he mistook the Publicans for the Sadducees, confounded John the Baptist with John the Evangelist, made Galilee a city of Samaria, and put Samaria in Jerusalem. I once found a schoolmaster appointed who could neither read nor write.

You will perceive what various qualifications are required in a workhouse schoolmaster in order to do justice to the children. He may be sufficiently informed in an intellectual point of view, and yet be totally useless from want of a knowledge of discipline. He may possess both these qualities, and yet fail from paying no attention to the industrial education of the children. These two last acquirements are comparatively little required in other schools, and this consideration leads to the conclusion, in which daily experience confirms me, that in order effectually to provide schoolmasters properly qualified to educate pauper children, a training school for teachers devoted to this particular service is necessary. The Norwood establishment has, in some degree, served this end, and the good effects that have followed from throwing it open to teachers, who wish to profit by the opportunities for observation which it affords, notwithstanding the absence of anything deserving the name of normal instruction, are a sufficient proof of the utility of a regular training Institution, and of what might be expected from one furnished with all necessary appliances. I beg to present this suggestion to your special attention.

There is also considerable danger of moral contamination to the children from their residence in the same house with adult paupers. It is perfectly well known to all who have had experience in poor law matters, that a very large proportion of the adult workhouse inmates are persons of the worst characters, the very refuse of the population, and there is a reason in the nature of the subject, which it is not now necessary to explain, why it is and always must be so. That this class, morally infected as it is, should be kept separate from the children, is of course of primary importance, and in every Union workhouse means are taken to provide for this end, by building separate wards and yards for each class. I am confident, however, that architectural arrangements can never effectually secure perfect classification in a workhouse. Conversation, sometimes of the obscenest description, is carried on over walls and through windows. In going to dinner or chapel there are ready means of communication; doors are accidentally left open; and the adults are employed in carrying or removing furniture or other articles from one part to another. Sometimes, on witnessing adults in the children's apartment, and inquiring the reason, I have been told that most of the children are out walking with the schoolmaster, and, consequently, these adults are placed to take care of some children, who, from chilblains, or lameness or for punishment, or some such cause, are kept at home; or they are carrying dinner into the children's rooms, and it gives less trouble to employ two adults in this business than four or five children, whose smaller strength makes a greater number necessary. The conversation engendered in such an establishment is anything but moral. Perhaps a woman comes into the house to lie in of a bastard child, and every circumstance relating to it becomes the talk of the house; another dies of a foul and loathsome disease, which gives rise to a multitude of curious inquiries. The atmosphere

of a workhouse that contains adult paupers is tainted with vice: no one who regards the future happiness of the children would ever wish them to be educated within its precincts.

In some workhouses the Guardians have gone to a considerable expense in procuring efficient schoolmasters, and provided, with great liberality, all the school apparatus that can be required; and hence, in those houses, the intellectual education of the children is extremely good. But the industrial education of the children, that is, their instruction in manual labour, which is hardly less important than the former branch, is frequently not less deficient there than elsewhere; and, besides, when we have got a good schoolmaster in a Union workhouse, in nine cases out of ten we have constant disputes and bickerings between him and the Governor, which usually ends in the resignation of one or other. The Governor is of course the superior officer, and it is therefore necessary that the schoolmaster should be in subjection to him. The latter, however, when efficient, is generally by far the better instructed and more accomplished of the two; and hence his subordination to an inferiorly-educated man is felt as a sort of hardship, and produces an uneasiness of feeling which readily ends in open rupture. It is almost impossible to define accurately the limits of the duties of these two officers, and, consequently, each imagines that the other is encroaching on his department, and the best schoolmasters are continually leaving on these grounds. If a nonentity is appointed as schoolmaster, these difficulties of course cease. So in fact, in many houses, we fall into this dilemma. We must either have an ignorant characterless master, of that supple and pauperised disposition, which acquiesces in every arrangement and interference with his proper authority, from sheer stupidity and inability to have an opinion of his own, than which nothing can be less adapted to implant vigorous, manly, and self-relying principle in the children, or we may have a good master with the accompaniment of continued squabbling.

In a few cases, a good chaplain, who understands and takes pleasure in this sort of duty, is found to supply, in great measure, the deficiencies of the schoolmaster. But this cannot be generally expected.

Perhaps it might be supposed that those Unions which have not central workhouses, but several district ones, one of which would of course be devoted to the children alone, avoid many of these inconveniences. This is the fact, but it is only to fall into others; for a schoolmaster who has all the accounts, provisions, &c., of a house to look after, which in a central workhouse is taken off his hands by the Governor, has little time to pay to the instruction of the children; and hence it is generally found that in these district children's workhouses the intellectual department is far worse attended to than in the central. The master, though qualified, is too much occupied to pay due attention to this part of his business. The industrial instruction is of course no better in this case than the other: but it is not of much importance to discuss the difference between this and the central system of workhouses, since the latter is adopted by nearly every Union, and can now never be changed for the former. Only three Unions, out of the twenty-five in Kent superintended by myself, have district houses, and in two of these they will shortly be given up.

The inquiry here naturally suggests itself, how was this matter

treated under the old system of Poor Laws?—may not the difficulty be partially owing to the practice of workhouse relief, which forms so essential a feature of the amended law? But in fact the evil alluded to existed to a much greater extent under the old law than the new. The 25 Kentish Unions contained under the former system about 700 more children in workhouses than at present, but being scattered about in small village workhouses, their numbers, though so much greater than now, were less apparent. In fact, the efforts that have been made in Union workhouses to give the children a sound and useful education, and so fit them to form independent members of society, have to some extent been successful, and to this the great diminution of workhouse children has, I believe, been owing: but insufficient progress has been made towards the end, and hence the evil I am complaining of. Formerly few persons would ever have thought of taking a boy or girl from the workhouse. It is not so now; but the counter-result, from the reasons above given, is far less general and satisfactory than it ought to be. In most cases, under the old system, the children were not taught at all. In one workhouse in Kent I remember finding 60 children, only 11 of whom could read, and 2 write, and that only upon slates. With several such perverse ingenuity had been used, that they had been taught to hold books in their hands, and repeat aloud, turning over the pages as if reading, while in fact they did not know a letter. Though in many houses at present the intellectual education is bad enough, in a very fair proportion it is decent, and in a few extremely good; upon the whole, it is infinitely superior to what it ever used to be. In reference to the reduction of workhouse children, it should be remembered that the plan formerly pursued of apprenticing them by the aid of premiums, or of giving weekly payments to those who would take them into service, that is, of bribing persons to give them employment, has been given up. If they now get work, it is mostly because they are partly fitted for it; and that fitness I am desirous of increasing. The plan of apprenticing by means of premiums is sometimes advocated as a scheme for disposing of the children; but it can hardly, I should think, find favour with any one who has any knowledge of the miserable abuses that resulted from this practice in former periods. One of the worst of these was the inducement it gave to any person who wished to pay a debt, or who might think it as honest a way as any of getting 10*l.*, to take a pauper apprentice for the sake of the premium. He would then ill-treat the boy, who would consequently abscond and leave his master the unburdened advantage of the premium. One good effect of never giving money inducements to take children into service is, that they are not likely to be taken out, unless fitted to earn a livelihood, or, if taken unfitted, they are quickly returned on the Guardians' hands, who are thus advertised that there is some error in the management of the children that requires a remedy. It used to be the practice with several London parishes to dispose of their pauper children by apprenticing them in the cotton factories, and that was at a time when the factories, being unrestricted by law, used to work 15 or 16 hours a-day, and consequently the labour was deeply injurious to health. I some time ago met with a man, who when a boy had been so apprenticed by the parish of St. Pancras, London, and he certainly did little credit to the education he had received in the

workhouse, as he was a professed atheist. Under the present system, a boy so instructed could not have been got out of the workhouse at all, except by the aid of a premium, or, if taken by any one, he would in all probability be quickly sent back from defect of character; and it is desirable that it should be so.

I should observe that there are some Unions whose workhouses form exceptions to the substance of these remarks, and where the children appear to be disposed of without difficulty. This I believe to be owing to the existence of a considerable demand for children in the neighbourhood, or to two or three persons of influence taking unusual pains in order to find places for the children. These cases, however, are strictly exceptive; but I wish especially to allude to them, as too hasty a generalization from such instances has led some persons, as well as myself in a former Report, to imagine that the evils I have been detailing had been adequately provided against. Comparing the present condition of the pauper children with what it was formerly, nothing can be more marked than the improvement; but we are apt to forget, in looking at what has been done, how much remains to be done. I am persuaded that in the work of pauper education our business is only half accomplished, and that some vigorous measures are requisite in order to satisfy that which the dictates of both interest and humanity demand.

I believe that the sole effectual remedy for the evils here described will be found in the establishment of district schools common to several Unions, according to the plan recommended by the Committee of the House of Commons, which sat last Session and the preceding one to inquire into the operation of the Poor Law Amendment Act. "The evidence I can send," writes the chaplain of a Kentish workhouse, "and remarks connected with it, will strongly tend to show that no real and permanent good will be effected for the children of the Unions till district schools be established, and that in them such children are placed under the care of persons competent to instruct; their instructors also being quite free from the low surveillance and partial control of one-tenth educated and injudicious masters and matrons." The success of the Norwood school, and of several of the large schools that have been formed by the London Unions, affords ocular demonstration of the ease with which all these difficulties may be surmounted, when a large number of children separated from the adult paupers are collected together; though, had we not these facts and experience to guide our views, the very nature of the case, and of the evils to be contended with, would point out this as the obvious and ready mode of overcoming them. The expense of providing competent instructors, and making the necessary arrangements for conducting the intellectual and industrial education of the children, is so great as to prevent individual Unions incurring it. But this expense diminishes proportionately as the number to be instructed increases; consequently, if we unite the children of several Unions, this difficulty of expense vanishes. Less than a third of the present number of masters would suffice; but the salary of one good master will not equal what is given to two bad ones, while he might be five times as efficient. Again, the children in individual workhouses are rarely sufficiently numerous for effectual classification: combine the Unions for school purposes, and this difficulty ceases with the other.

I am aware that objections would be started to this proposal, but not one which, as far as I can see, would not readily yield to a candid consideration of the point. As such a district school would be 10 or 12 miles, or even more, from many parts of the Unions that supplied it with inmates, supposing, it would be urged, a family sought refuge in the workhouse for a few days, would you send the children out of the Union 10 or 12 miles off to the district school, to be sent back over the same space of ground a few days after? This objection is easily met; for, since the sole object of these district schools is to provide a more serviceable education for the children, and it is obvious that no effect, either for good or evil, could be wrought on such transient occupants of the houses, therefore paupers of this description need not be subjected to the proposed classification, but might be kept without injury in the workhouse of their own Union, during their few days' sojourn there, without using the district school at all. But the great majority of children are not passing but permanent inmates of workhouses till they get to service, and for the latter class only this plan is intended or can be of any service.

Another objection would be put in the imagined difficulty of governing these institutions. A committee, formed of two members from each Board of the united Unions, could superintend such a school as readily as a Board of Guardians does its own little school now. It is true that the members of this committee would have to travel further than Guardians at present in order to get to the place of meeting; but when the school is in complete action, and a visiting committee of the nearest resident members organised, I see no reason why the superintending committee should meet oftener than once a month; and if there is any weight at all in the foregoing reasons, surely the advantages to be derived from the plan far outweigh the disadvantages of these twelve yearly journeys required from about a dozen individuals selected from a quarter or half a county. The good to society in a pecuniary view alone, by being relieved from the depredations of but one youth, who is hereby saved from a life of crime, would more than repay the expense of these journeys for a whole year.

Some persons would doubtless insist on the cruelty of sending children away to a considerable distance from their parents and friends. This is inapplicable to a large proportion of the workhouse children, who are orphans, foundlings, or wholly deserted; but where it is applicable, it is only asking paupers to do by their children what the upper classes do by theirs, with the difference that the former are not required to pay for their education, nor to send their children a quarter so far off as is usual with the rich. All possible means are to be taken to secure the physical and moral well-being of the children; the change proposed will have this sole object; and we shall be told we are acting with cruelty and harshness towards them. No objection will less stand investigation; but, absurd and groundless as it is, I have no doubt that much would be attempted to be made of it.

Great fault would be found with this plan of district schools on the very grounds which I have alleged in their favour, viz. the improvement in instruction and training which they would bring about. It would be said that the scheme proposes to give too great advantages to the pauper children—to educate them beyond their stations. I have

constantly to lament the confusion that seems to exist in the minds of many Guardians in the application of the principle on which the Poor Law is founded, viz. that a man who applies for parish relief shall not be placed by the receipt of it in a better condition than he would be did he support himself by his own industry. The propriety of the application of this principle to adult paupers is undoubted, but by no means so to children. With respect to the former class, those who are experienced in these matters well know that the workhouse acts as a provocative to seek work and independence almost entirely by the restraint it imposes; the food, lodging, and clothing it affords, are in most cases superior to what an independent labourer enjoys, and without the regularity, order, and discipline which it enforces, thousands would prefer its easy and careless existence to work. But it is impossible to apply this principle to children; restraint is natural to them, and they cannot be more restrained and disciplined in a workhouse school than they would be at home or in a gentleman's boarding-school. Besides, were it possible to depress the condition of the pauper child in this way, where would be the use of it, since he cannot support himself out of the house? Therefore the only reason for treating the able adult pauper so as to make him prefer independent industry to parochial support fails when applied to the pauper child.

I know it would be said that we should be giving the pauper children a better education than that obtainable by the independent labourer's child. While I allow and lament this truth, I wholly deny its force. Because the schooling of children out of the workhouse is neglected, is this a valid reason and excuse for equally neglecting those who are within it? According to this argument, not a single ray of moral or religious knowledge should be allowed to illumine the mind of a pauper child; he should be brought up a perfect brute; since it is certain that this is the lot of innumerable independent children. The object of the present mode of administering the Poor Laws is to check pauperism. To this end nothing is more powerful than giving moral advantages to the children; we can thereby implant in them the seeds of industry and good conduct, and thus furnish them with the best safeguard against becoming future burdens on their parishes. Moral benefits may be given to any extent to paupers, whether young or old, without thereby making pauperism attractive, or violating the principle of the Poor Law. An adult pauper has advantages of this description in the workhouse usually far beyond what he can have when independent. He is supplied with religious books, with the continual ministrations of a chaplain, who, if he is sick, or otherwise in the want of spiritual consolation, will attend him at his call; Divine service is performed within ten paces of him; weather, distance, or slight illness need never prevent his attending it. But all this has a dispauperising instead of a pauperising effect, tends to inspire him with more and higher motives to exertion, and to make him a wiser and a better man. The argument I am combating would deprive him of these privileges, and consign the children to barbarism, on the ground that we should thus be discouraging pauperism. We should not; but as respects adults, such a course would diminish to nothing the small chance we have of substantially benefiting them, and, as respects the children, would turn out into society herds of paupers or brutalized ruffians.

The extreme ignorance of most children when they first enter the workhouse, together with the great ease with which, in a well-conducted school, they appear to be taught and reformed, affords a pleasing presage of the good that might result to society were all those, whose condition seemed cast irrevocably among the most degraded, thus furnished, as they so easily might be, with that internal safeguard against future misconduct, which a sound education affords. On entering the workhouse it frequently happens, that children, even those who are 14 or 15 years old, do not know a letter, have never heard of the Lord's Prayer, nor even of a God: but their docility is usually unbounded. From the perfect control that the circumstance of their boarding in the house gives the master, and their consequent freedom from all corrupt external influences, and those petty interruptions to constant attendance that so frequently thin the ranks of a village school, the instruction is imbibed with a rapidity that far surpasses the progress in day schools. It is also worthy of remark that those children, who most distinguish themselves for ability and good conduct, are very generally those who are orphans or entirely deserted. The cause is obvious: as the parents of pauper children are too often the most vicious of the community, and consequently are not likely to impress other than their own baneful habits and propensities on their children. It is a mournful but undoubted truth, that with by far the majority of workhouse children who are not orphans, no greater harm can be done them than by allowing them to associate with their parents. I have frequently heard the schoolmasters lamenting the injury sustained by children, even by the occasional half-hour's intercourse that is allowed between them. I have known parents who have been allowed to send children to the workhouse as relief, take them out for a day and return them drunk, having thus satisfied their parental affection by giving them what they call a treat, [and what in their own opinion doubtless is so. In one instance a child so treated actually died from the effects of the debauch. A chaplain of a Union writes to me the following:—"I am myself convinced, from the observation I have frequently made, that in a great majority of instances, the cruelty to the children consists, not in taking them away from their parents, but in allowing them to have any intercourse with them and their friends, so called. I here, observe, speak not of parents that might have been, or parents that may be hereafter, under a system more judicious, rational, and promotive of moral culture, but of parents as they are."

Sometimes the most intelligent children will become so acutely sensible of their forlorn condition in this respect, that they cannot bear the slightest reference to their parents; and when, unaware of a boy's sensitiveness on the point, I have inadvertently in conversation with him touched on this subject, I have been answered with a burst of tears. Many of them, I am certain, are launched into the world from the well-managed schools, with the highest sentiments of honour, and determination to preserve their characters unsullied, and they must hence frequently experience a strange and painful conflict between their feelings of propriety and the claims to duty and respect from the authors of their being, whom they see deformed by vices which they have been taught and accustomed to hate and despise.

The few weeks of absence which you have granted me in the last

two years I have devoted to making personal inquiries into the management of workhouses on the continent. One point excepted, I think them far worse regulated than our own. There is frequently no distinction of treatment or classification made between the old and able-bodied; the houses are built so as to preclude all possibility of effectual inspection, they are consequently often dirty and disordered, while the inmates are not employed at all; or in some houses may be seen engaged in games of hazard. I have even found criminals mingled with the other workhouse tenants, being placed there for security; and the workhouse frequently forms part of the same building with the gaol; but in one particular I found them almost universally far superior to our English establishments. The children were everywhere (except in one instance, in the canton of Berne) carefully separated from the other inmates, while a degree of expense and care is bestowed on their education, that infinitely surpasses what is usual here. My inquiries have been confined to Switzerland, a small part of northern and western Germany, and Holland.

It appears to me that a strong reason may be found in favour of paying the utmost attention to the education of pauper children, regardless of whether it is superior to that obtained by others, in the circumstance that they are for the most part wholly friendless, and hence have no one but themselves, their own unassisted talents and acquirements, to depend upon in order to get a living. The child who is fortunate enough to have a parent living by his own independent exertions has a friend who is constantly on the look out for a place for him—whose position among employers and other labourers gives him innumerable opportunities for obtaining what he seeks, and who is ever ready in adverse circumstances to bring to his offspring succour and advice. Such tender and watchful care is ill supplied by art, which can form but a poor substitute for the natural and well-directed affection of a father or mother. It surely then becomes us to do all in our power to assist those who are thus bereft of their natural protectors; and, as some recompense for the absence of that aid and material capital which friends or parents might afford them, to give them a capital of skill and knowledge, which they cannot lose, and on which they may trade and erect the fabric of their future fortunes.

Those who consider this question on the low ground of economy should calculate the incidental expenses that arise owing to the present defective system, as every boy who stays in the house a year beyond the time at which, under improved management, he would be able to get work, costs his parish at least 8*l.* The cost should also be taken into account of relieving those in after-life who, in consequence of their early inefficient training, have not the energy or the talent to preserve independence, and are hence constant recipients of relief, and pass their latter days as pensioners on the parish purse. To this should also be added the expense of those whom this bad education may lead into courses of crime, and who prey upon society to the average amount, according to the Constabulary Report, of not less than 25*s.* weekly.

With the majority I hope this pocket argument will be unnecessary, and that they will see a sufficient reason for the change in the chance of securing the present peace and future happiness of the 40,000 or

50,000 children that are now in the English workhouses. The neglect of this class in former times has been visited in bitter retribution on the country. "A very large proportion of the inmates of all the London prisons," writes Mr. Hickson, who made an extensive inquiry and report to you on the subject, "have passed as a preparatory step some portion of their lives in workhouses. In Tothill Fields Prison I examined 25 boys, whom I found at the treadmill, 13 of whom were workhouse boys. In the Coldbath Fields Prison, the House of Correction at Brixton, Clerkenwell New Prison, the Penitentiary, and other prisons, I examined a considerable number who had passed through workhouses. In the Euryalus convict-ship, 25 boys out of 150 had lived in workhouses." The report from which this is taken was written more than three years back, and therefore refers to effects which originated antecedently to the operation of the Amended Poor Law. The evils of workhouse treatment which it indicates have mostly been remedied under the present system, but much still remains to be done. I think that we are not justified in stopping in the course which has been thus happily begun, till we have reached its utmost practicable limit; and that this is a course which the interests of economy, common sense, sound policy, morality, and religion alike require.

I have the honour, &c.

(Signed) E. CARLETON TUFNELL.

No. 2.

REPORT from E. C. TUFNELL, Esq., suggesting certain ALTERATIONS of the LAW.

GENTLEMEN,

Gravesend, 21st March, 1839.

As I believe it is under consideration to make some alterations in the Poor Law Amendment Act, during the present session of Parliament, I have drawn up the following remarks, suggested by experience, with the view of supplying what appear to me to be deficiencies in the present Act.

As speedy justice is one of the main preventives to crime, and as the delay in punishing vagrants and offenders of this class is extremely inconvenient, and frequently places great impediments in the way of the law, I think it would be extremely useful towards furthering the demands of justice, if the Chairman and Vice-Chairman, jointly, of every Union, while sitting at the Board, after their appointment had been approved by the Commissioners, or the Lord Lieutenant, or the Home Secretary, were invested with the power of magistrates in the ministerial act of signing rates, and in all offences arising within the Union, under the Vagrant Act, or under the 55 Geo. III., c. 137. As offences under these Acts come more peculiarly under their cognizance, and as the relieving officers form the very best machinery for obtaining evidence in these matters, it would seem to me peculiarly appropriate to clothe the Chairman and Vice-Chairman with the functions of magistrates in all offences of this description.

The evil which is sometimes inflicted by the lenity of magistrates, who do not see the full amount of the damage sustained by their un-

willingness to convict for certain offences against the Vagrant Act, is very great; while the inconvenience is most forcibly felt by persons in the position of Chairmen and Vice-Chairmen of Unions, who must see the absolute necessity of a rigid enforcement of the law in such cases. I know one Union, in which the magistrates (being borough magistrates, and therefore having no seats at the Board of Guardians, they do not see practically the evils they are encouraging) always refuse to convict persons charged with running away and leaving their wives and families chargeable. The last case that came under my notice in this Union was one in which a man, who is clearly proved to be in receipt of 150*l.* a-year, has allowed his wife and child to remain in the Union workhouse for two years; the consequence of which is, that persons are constantly leaving parts of their families in the workhouse, secure of impunity; and at present there are about 20 children in the workhouse, who have been left in this way.

The auditors should have the power of summoning, by a summons sent by post or otherwise, overseers before them to account; and, on refusal or omission to attend, they should be liable to be fined 5*l.* before a magistrate. The reasonableness of this recommendation is so obvious that it requires no argument to support it.

It would be highly desirable if the power of consenting to incur emigration expenses were confided to Boards of Guardians, instead of the individual vestries of parishes. Boards of Guardians have, through their paid officers, their facilities of communicating with the Poor Law Commissioners, with Emigration Agents, and with Government, such superior opportunities of becoming acquainted with the times of the sailing of ships, the best seasons for departure, the best colonies to go to, and, in fact, with every circumstance relating to emigration, that it must be obvious that the general interests of the parishes will be best consulted by placing in the hands of their representatives the power to act in this matter; since, by them, the information so necessary to guide a successful emigration may with most ease and certainty be obtained.

I can see no good reason why civil pensions should not be attachable for relief equally with naval and military pensions. This defect in the law is peculiarly brought under my notice, as there are three dockyards in Kent; and dockyard pensioners, when they apply for relief, cannot be made to contribute to their own support in the same way as Greenwich and Chelsea pensioners.

Neither can I see the propriety of exempting a soldier in service from contributing to the support of his wife and family when they become chargeable. This sometimes gives rise to another hardship on parishes, which will be best explained by the following case, which occurred at Chatham. The wife of a colour-serjeant in the receipt of 3*s.* a-day became chargeable: she does not belong to Chatham, but the parish is still bound to support her, as her husband can neither be made to aid in her maintenance, nor be examined as to his settlement. Should he be ordered abroad, he might be examined; but in no case can he be made to contribute anything towards his wife's support.

All vagrants should be made chargeable to the Union, and not to the parish in which they first become applicants for relief; and in case of chargeability arising from workmen employed in the formation of rail-

ways and large public works, the company or the contractors should be bound to support such persons, provided they have no settlements in the parish in which they are working. The burden which accidents on a railway, to the workmen, sometimes inflicts on small parishes is very heavy, and I think unjustly imposed on them.

Of all the abuses that existed under the former system of administering the Poor Laws, I believe that the payment of wages out of the rates has been considered the greatest, and that the extermination of this great abuse, in comparison to which all the others have been deemed (and in my opinion justly too) light and unimportant, was the main object of the Poor Law Amendment Act. To the operation, therefore, of the measure, as respects its chief aim, my attention has been incessantly directed; and, gratified as I am in observing that nineteen-twentieths of the abuse have been suppressed, I view, with the strongest feelings of apprehension, the existence of the remaining twentieth, keeping alive as it does the seeds of the evil, and ready as it is but too obvious to myself, on any withdrawal of the pressure that now restrains it, to spring forth into its former luxuriance. The injustice,—the evils, both moral and physical, that are inflicted on all classes of society, and especially on the labouring classes, by the practice of paying wages out of the rates,—are now so universally acknowledged, that I never meet with any one who ventures to support it. It numbers, however, many indirect supporters; and the abuse assumes so many various shapes, under which its real nature may be concealed, that the disingenuous and the short-sighted have little difficulty in making out a plausible case, that they are only applying the poor-rates to their legitimate object, when, in fact, they are paying wages out of the rates.

The commonest case in which the real, though unconfessed and generally unintentional, defenders of the abuse argue for a resort to this vicious system is, where a labourer loses his work for a week or a fortnight. The plausible view of such a case is, that to send a man in this condition to the workhouse, and thus break up his establishment, is cruel; and that the cruelty is aggravated by the consideration that, by the aid of a small pittance, less than would be the cost of the maintenance of himself and family in the workhouse, he is willing to support himself till the few days are over, when he will certainly be again taken into employment. Kindness to the labourer, and economy of the parish funds, seem both consulted by this arrangement; and the attractiveness of these apparent reasons sufficiently explains their newspaper popularity and their tastefulness to the multitude, who rarely advance two steps in an argument; but those who are closely acquainted with country life, in a pauperized district, well know the futility of these reasons,—how this apparent kindness works the deepest injustice to the labourer, and the intended economy results in almost boundless expenditure. It is usually forgotten that wages cannot fall for a continuance below what is necessary for the general support of the labourers, and that a farmer can only secure the services of his labourers by giving them, in some shape or other, enough to maintain them. Consequently, if he gives them less than is enough to support them during the year, and justifies his conduct by saying that he pays them enough while he employs them, and at the same time turns them off whenever work is

slack, it is obvious that, unless the labourer can find other employment in the intervals when he is turned off, what is wanting to make up enough for his yearly support must be paid him out of the rates. The case then stands thus :—The labourer works for the farmer, and for him alone; the entire services of the labourer could not be, as they are, at his disposal, unless the labourer were fully supported, and it is clear that that support ought in justice to come from the master, who has the sole profit of the man's strength; and he is only enabled to come off with partially supporting him, because the parish pays the remainder, which, if it did not, must come out of the employer's pocket, as on no other terms would it be possible for the labourer to work for him. The wages and the relief are as closely connected as the two ends of a lever; as one rises, the other falls.

All this is so perfectly well understood by the farmers, that they usually display considerable jealousy of any one of their number who endeavours to break through the practice, which is now very generally established, of keeping the labourers in constant employ, well knowing that if an employer turns off his labourers because a snow-storm or some such occurrence impedes the usual work of a farm, the real object is to get part of his men's wages paid out of the rates; that is, to pay the wages of his men out of the pockets of the other rate-payers. The injustice of this is obvious; and I have been frequently appealed to, to prevent any relaxation of the rule which prohibits out-relief in such cases. Sometimes, at a Board of Guardians, where a few members, not generally farmers, have urged me to procure a relaxation of your rules, so that a little temporary out-relief may be given to three or four labourers out of work, a farmer will say to me,—“If, sir, you allow any out-relief in these cases, 50 labourers will immediately be turned off in my parish alone;” and I am confident that there are many Unions in my district where such a course would instantly cause 500 labourers to be thrown on the rates. In the Eastry Union, during the protracted snow-storm which occurred in January, 1838, a strong attempt was made to procure some out-relief for the few able-bodied who had no work. The Guardians resolutely withstood the proposal, declaring that if the rule was broken through they would immediately have many hundred labourers turned out of employment. The Chairman told me that he should immediately turn off three men, and that he had spoken on the subject to five other farmers, who would turn off 25 men altogether. In fact, on the maintenance of this no out-relief order, it depended whether 600 or 700 labourers should be kept in employ or thrown on the parish; and this enormous evil was to be inflicted for the sake of giving out-relief in the first instance to 20 or 30 men, who were necessarily the worst characters or the worst workmen in the Union; such, of course, being the first to lose employment. In fact, I am perfectly certain that there are several periods in the year in which, by simply giving an authority and recommendation to Boards of Guardians, that they should assist with out-relief those who were casually thrown out of employment, you would instantly cause, in this small corner of England, from 10,000 to 12,000 able men to lose their work and be dependent on parochial relief.

No blame whatever attaches to employers of labour for turning off their men on such grounds as the above: in truth, they are compelled

to do so. Each person reasons, and justly, thus:—I am willing to pay the wages of my own men, but I will not and cannot pay the wages of my neighbour's men also; and if I am made to contribute to their wages, by out-relief being given to them in consequence of my neighbour turning off his men when work is slack, I must meet the injustice by turning off my men too; and thus, by getting out-relief for my men, making my neighbour pay as much for me as I for him. I have heard a Guardian tell the relieving officer to carry a message to a farmer who had shown some disposition to turn off his men during some interruption to his work, occasioned by the weather,—“Tell Mr. B., that if he turns off one man, I shall turn off 40 immediately.” Or he might have said,—“Tell Mr. B., that if he makes me pay the wages of his men, I will make him pay the wages of my men.”

The offer of the workhouse effectually meets the evil, as a farmer dare not turn off his men in consequence of a transient interruption to his work, when he knows that the only resource of the labourers may be to break up their establishments and go to the workhouse. Their services are essential to him when the interruption has ceased, and he is not certain of getting them back again, if they once get domiciled in the workhouse, while any other employer has an equal chance with himself of securing their future services. Besides, a farmer who acts in this way soon gets a bad name among the labourers, who of course are willing to work for any one in preference to him; and thus he runs the risk of procuring none but the worst labourers. Hence the workhouse relief brings in aid the operation of private interest to induce the farmer to give permanent employment to his men; and it is important to mark that the hardship of sending a labourer and his family to the workhouse, the great topic of popular outcry, is the very circumstance that forms the labourer's safeguard against being thrown upon the parish, and secures him constant work. Were the receipt of parochial relief made light and easy, the labourer would not object to being thrown upon the parish; the master who treated him thus would be no worse in his eyes than others (in fact, all the masters must necessarily do the same); and the labourer, receiving out-relief in his cottage, is ready at an hour's warning to resume his labour on his former master's farm, who thus loses the strong motive described above for giving his men continuous employment. The demoralising effect of this practice on the labourer is too well known to require re-stating. And yet how easy it is to make a declamatory speech in its favour, and excite popular sympathy on the side of its continuance! Here is a labourer turned out of work, from no fault perhaps of his own, bearing an unexceptionable character, wholly unable to save while in work, as his earnings are only just enough to support him, and yet we insist on breaking up his cottage and sending him and his family to the workhouse.* I trust, however, I have made it clear that an infinitely greater hardship would be inflicted on the labourers generally by acting differently; and that, even in the individual case, the effect of the workhouse offer, as experience proves, so far from causing the apprehended calamity, simply forces him back into work, from which possibly he has only been

* I beg to be allowed to enter a protest against this paragraph being quoted without the context.

removed to try whether part of his wages cannot be obtained from the rates.

It is obvious that this system of giving relief to labourers who are turned out of work is neither more nor less than an indirect mode of paying wages out of the rates, yet it numbers, as I have stated before, a few supporters among the gentry and shopkeepers, who, not employing many labourers themselves, or at least not for profit, are unaware of the real effects of the practice, and among the small farmers, whose position insures their clear understanding of the principle, but who, possessing no capital, are continually pressed for money, and are willing to meet a present emergency by eking out their labourers' wages through the poor-rate. Lastly, there is sometimes, I fear, a less creditable motive behind that prompts an advocacy of this vicious system, and that is, where there are several shopkeepers and tithe-owners in a parish, who, paying largely to the poor-rate, employ few or no hands, and consequently the paying labourers' wages out of the rate has the effect of taxing them to ease the farmers' pocket, while they are incapable of retaliating by turning off their men, as a farmer would, if similarly treated, since they employ none.

I have ventured to make the preceding statement, in order to show from my experience some of the evil effects of giving out-relief to able-bodied men, (for, as those conversant with the matter are well aware, these form but a small part of them,) to indicate the motives that are still at work to force a recurrence to it, and to excuse the earnestness with which I press for some additional legislative protection against a reintroduction of the abuse. The 52nd clause of the Poor Law Amendment Act gives a power of departing from the sound principle of giving relief in cases of *emergency*, and through this fatal word I see an entrance for many of the evils of the old system. It was the introduction of this term in the 59th Geo. III. that, according to the Commissioners of Poor Law Inquiry, neutralised many of the wisely-intended clauses in that Act, and I fear that a similar result may follow its use in the Poor Law Amendment Act. It is the merit of all laws, that they should be plain and easily understood. Now, nothing can be more vague or indefinite than this word "emergency." It may mean everything or anything, and be bent to any signification according to the wishes and prejudices of the interpreter. I have seen the most unmitigated cases of paying wages out of the rates defended on the plea of *emergency*. Against these the power of the Commissioners affords no sufficient safeguard, and there is a natural indisposition to visit with legal penalties the neglect of a clause of which no one can accurately define the meaning or limit the extent, and the violation of which consequently always admits of a plausible excuse.

It seems to me of supereminent importance that the uncertainty which attaches to this clause should be removed by some legislative decision of its real meaning, and the more so, as I am confident that, were the evils and abuses which might creep in under its sanction ever realised, many of the most respectable and intelligent members of Boards of Guardians would positively refuse to act; and all the weighty interests attendant on the local administration of the Poor Laws would fall into the hands of an inferior and less cultivated class. It has frequently been stated to me by the most intelligent Guardians that, if the Com-

sioners did not support them in their endeavours to carry out the intention of the Act, or sanctioned any general relaxation of the rule prohibiting out-relief to able-bodied, they would instantly resign their situations at the Board, and never attend again. "If you will support us, we will support you," has been the language to me of many of the most respectable yeomen and magistrates in this district, addressing the Commissioners through me; "convinced of the salutary operation of these rules, we will aid in carrying them fairly out, regardless of opposition, so long as we are sustained by the authority of the Commissioners: yield to clamour, vacillate in your principles, and that moment we give up our attendance as Guardians." The following is an extract from a letter to me of an influential magistrate, complaining of the proceedings of the Board at which he sat, and to which the prohibitory order had not at that time been issued. "If the Board persist and the Commissioners do not issue a peremptory order, I shall, after the 24th, withdraw. Of this I am resolved, that I will not be a party to administering the old system under a new name, and that I will not attend the Board next Saturday, unless I learn that you mean to do so, nor at all in future, unless their ruinous course is checked." The following is an extract from a letter written to me by one of the most intelligent and respectable yeomen in Kent, a Chairman of a Board of Guardians. "If I thought my testimony, or the little experience I have had as a Guardian, would be in the least possible manner satisfactory to the Commissioners, as confirmatory of the wisdom and good policy of still firmly adhering to their prohibitory rules, as to not allowing any outdoor relief to the able-bodied, I would say, yield not one iota in Agricultural Unions, and not merely because labour can be found, but for the especial reason that the labourers, as a body, *have submitted to that rule as the law of the land*; and I am quite convinced the feeling of responsibility on the part of the masters to employ the poor is increasing, and that to relax *that rule*, in which is contained the vital principle of the Bill, would be to produce more discontent and mischief than can possibly arise from its being steadily and consistently acted up to. As a Guardian and a member of society, so long as that rule is upheld as law, so long will I risk anything and everything in assisting to enforce it, and to carry it into operation. But the moment that rule is set aside, and nothing more tangible and real left to guide us than the capricious, ever-varying, and indefinite *opinion* of a majority, that moment I withdraw my assistance, and cease my attendance. I will incur any penalty *now*, supported by law, and that law based on just and honourable principles; but I will not incur odium, or even suspicion, unless with far better security than I imagine the good intentions and humane motives of my neighbours will invest me."

The remedy that I would suggest is, that the law should positively forbid all out-relief to able-bodied, unless on the responsibility and with the previously expressed sanction of the Commissioners, except in certain strictly defined cases, such as where some physical obstacle prevents access to the workhouse, or it is full, or the existence in it of some pestilential disorder, which would endanger the lives of fresh comers. The power of departing from this principle, that is, in fact, the power of paying wages out of the rates, is too dangerous to be placed elsewhere than where the fullest responsibility attaches, and where the public and

Parliament may look for a clear account of the mode in which it has been exercised. The proceedings of Local Boards easily evade public attention, their composition continually varies, and there is no individual on whom the responsibility of any blunder can be fixed. Every act of the Commissioners will be, as it always has been, watched with the utmost jealousy, and this furnishes the best safeguard that such a power would be used by them with due caution and discretion. Of this I am confident, that no caution can be too great, no jealousy too watchful, in committing to any party the exercise of this power of bestowing out-relief on the able-bodied, as it should be constantly borne in mind that it amounts to a power to sap and overthrow the very springs of morality and industry, and to inflict an almost boundless taxation. That such a power should be committed to 600 Local Boards, as it practically is to a certain extent by the indeterminate wording of the 52nd clause, seems to me eminently dangerous and impolitic. I believe the public would never be satisfied that this power should exist—nowhere; and there seems no depository to which it may be so beneficially and securely confided as the Poor Law Commissioners.

I beg to make one remark on the absurdity of the popular jealousy respecting this power of the Commissioners, or rather the wrong direction which that jealousy seems to have taken. Extensive as their authority is in directing the distribution of relief (and I contend that, as respects the able-bodied, it should be still greater), it should be observed that it is almost wholly exercised in restricting, not in augmenting, relief; in fact, the public outcry is constantly directed against their supposed inconsiderate harshness. Were the public a little more long-sighted, it would see that every motive, save the single one of strong sense of duty, impels a public Board, like the Commissioners, in a course precisely contrary to that which is made the subject of such constant attack. Their interests lead them to yield to applications for relaxations from their rules, their refusal to do which causes such violent reclamations as they could only be induced to incur by a rigid sense of public duty. The popular jealousy is unreasonably directed against such refusals, that is, against conduct which indicates a sacrifice of interest to duty, whereas it ought in reason to be on the alert, lest their duty is sacrificed to their interest. To illustrate this by an instance. A Board of Guardians sends up to the Commissioners a case in which they desire to break through the rule that prohibits out-relief to able-bodied. It is, perhaps, referred to me for an opinion, who of course am in the same position as respects motives as the Commissioners. I know, possibly, that there is no good ground for the application, and that to grant it would break through a principle, the observance of which is of the utmost importance to the present and future welfare of the labourers, and yet a surface plausibility may always be alleged in its favour, and acquiescence is sure to be popular. If, then, under the sense of duty, the application is disallowed, I have to endure, perhaps, abuse in the newspapers, insults from individual Guardians, and every description of unpleasantness. If it is allowed, I escape all these disagreeable consequences, the public applaud the so-called humanity, the discretion is said to be properly exercised, and my business proceeds calmly and quietly along, though a serious blow may be struck at the real interests of the labourers. But, *that* I do not feel, the expense

that may be incurred affects not me, and it may be years before the benefit of a contrary course is so fully developed as to beat down opposition, and bring the popular voice on the side of truth and reason. The fear in committing such extensive powers to the Poor Law Commissioners should not be, lest they should use them improperly, but lest they should not use them at all; lest they should not interpose in the attempts that are continually made to break through the correct principles of Poor Law administration, and thus stifle popular dissatisfaction by consulting their personal ease. It appears to me to be in the nature of a Poor Law that its worst abuses should be popular, and in a district such as this, where they had taken so deep a root, no restraining power should be refused that can tend to repress their growth, as none is so little capable of being misused by active exercise.

In giving my opinion as to the desirableness of any alterations in the Poor Law Amendment Act, I do so with the greatest diffidence, being aware that it partakes in some degree of presumption to propose to amend a law so thoroughly considered as this was previous to its being submitted to Parliament. Perhaps there never was an Act passed, the grounds for which were so completely and cautiously investigated. Three years were employed by the Commissioners of Inquiry in the laborious collection of information on this subject; and not only in England, but in all parts of the world where Poor Laws had been established. "The evidence," published by them, it is stated in their Report, "comes from every county, and almost every town, and from a very large proportion of even the villages, in England. It is derived from many thousand witnesses, of every rank, and of every profession and employment, Members of the two Houses of Parliament, clergymen, country gentlemen, magistrates, farmers, manufacturers, shopkeepers, artisans, and peasants, differing in every conceivable degree in education, habits, and interests, and agreeing only in their practical experience as to the matters in question, in their general description both of the mode in which the laws for the relief of the poor are administered, and of the consequences which have already resulted from that administration, and in their anticipation of certain future consequences from its continuance." My opinion of the foresightedness with which that Report was composed is considerably enhanced by my experience of the fact, that, though many of the proposals were new, the predictions made respecting their effects have, in nearly every case, been realised by the event. The observations on the proposed bastardy regulations, on the benefits of extended management, and on the appointment of officers, especially, have been remarkably borne out by the result. This I may say now, I trust, not unbecomingly, as there is no one among the Commissioners, or their assistants, who had any share in drawing up that Report.

Lightly and incautiously to touch an Act founded on such evidence as this, and involving principles in which a false step may be productive of the most disastrous consequences, betrays, in my humble opinion, a most blameable degree of rashness. Without a minute practical acquaintance with the subject, I cannot but feel that no one is justified in proposing any material alteration; and after being closely and almost daily engaged in watching and superintending its operation, under various aspects, for more than four years, and thus from the

necessities of my position more than usually conversant with its action, I still do not venture to make the above proposals of alterations without the apprehension that I may justly be charged with presumption, or without the utmost diffidence in the propriety of my suggestions.

I have the honour, &c.

(Signed) E. CARLETON TUFFNELL.

No. 3.

REPORT from SIR JOHN WALSHAM, Bart., Assistant Commissioner, relative to the COMBINATION of TOWNSHIPS for the ELECTION of GUARDIANS in common.

Newcastle-upon-Tyne, 28th October, 1839.

GENTLEMEN,

In compliance with your instructions, I beg to submit to you some remarks on that portion of the present law regulating the election of Guardians, which confers on every parish, however small, the right of returning one Guardian at the least, whilst it leaves the Commissioners to deal as *they may think fit* in the matter with parishes of the greatest importance (in so far as population and wealth give importance), *provided only* they assign to such parishes as those, for instance, of All Saints and St. Andrew, Newcastle (containing respectively 20,000 and 11,000 inhabitants), the one Guardian whom they are legally compelled to allow to the neighbouring townships of Butterlaw and Darras Hall, containing respectively 30 and 15 inhabitants!

In laying this memorandum before you, I would, however, premise that it should not be understood as applying indiscriminately, *quoad* the inconveniences and evils whereon it touches, to every rural Union, or every petty township, or every Overseer-Guardian in my district; I desire, indeed, distinctly to admit that every such rural Union can supply examples to a greater or a lesser extent of insignificant townships excellently represented by Overseer-Guardians; but I am, nevertheless, prepared as distinctly to affirm that these are the exceptions to the rule, and that (taking those Unions and townships collectively) I have under-stated rather than exaggerated the annoyances and obstacles in the way of progress and improvement, for which the present system of requiring that at least one Guardian shall be assigned to every township is responsible.

I have the honour, &c.

(Signed) JOHN WALSHAM.

The Poor Law Commissioners,

&c. &c. &c.

MEMORANDUM on the present Law of Election of Guardians, so far as the same relates to the privilege now possessed by each township maintaining its own poor, of returning one Guardian at least.

In the district under my superintendence, and more especially in Northumberland, the ecclesiastical parishes are subdivided into an infinite number of small townships, often consisting of only one farm, and maintaining each its own poor. To every such township the

Poor Law Amendment Act secured the privilege of returning one Guardian at the least; and it can hardly be denied that of this privilege the result has been, that there are no advantages which the legislature may be presumed to have contemplated in confiding the administration of relief to Boards of Guardians that have not, in a greater or less degree, failed of their full accomplishment.

The principal objections to the legislative arrangement in question may be conveniently classed and commented upon under the seven following heads:—

1. Junction in rural townships of the office of Guardian with that of Overseer.
2. Exclusive attention of Overseer-Guardians to their own townships.
3. Fluctuating attendance at the Board, and consequent absence of uniformity in decisions.
4. Difficulty of enforcing correct principles of administration.
5. Sacrifice of permanent advantage to present saving.
6. Unwieldy number of Guardians.
7. Dissatisfaction of urban Guardians.

1. It is sufficiently apparent that, although the Poor Law Amendment Act does not in terms prohibit the union of the office of Guardian with that of overseer in the person of the same individual, the spirit of its provisions is opposed to such a combination. The vast majority of townships, however, contain but three or four rate-payers; and the duties of Guardian being viewed as connected with the particular township only, the conjoined offices of Guardian, overseer, and surveyor of roads, are either monopolized permanently by the principal rate-payer, or are filled by each rate-payer in turn until his year expires, and his neighbour succeeds him. Thus the old parochial prejudices and habits that interfere so greatly with the due administration of the law are apt to be concentrated and fostered in the very Board of Guardians.

2. One of the consequences resulting from the present law of election is the disposition which the Guardians of rural districts too frequently evince to attend to scarcely any business but such as concerns their respective townships. If any one of these townships desires to have a particular thing done, or left undone, with regard to its local affairs, Overseer-Guardians are prone to imagine that the Board ought, as of course, to accede to the wish and defer to the opinion of such township. They cannot, in fact, be induced to consider themselves Guardians of the Union, in the extensive and useful sense of the term, and consequently their presence at the Board is contingent either upon the expectation that business connected with their own township will be brought forward or upon a gathering of the non-attending to outvote the working Guardians; such gatherings having principally for their object the overthrow of propositions for the erection or improvement of a workhouse for the establishment of mendicity arrangements, for the appointment of a chaplain, or for any other purposes of general progress involving an apparent increase of expenditure.

3. The effect upon Guardians of the habit adverted to in the last paragraph, of merely attending when the transaction of business relating to their particular townships requires it, is to cause a perpetual fluctua-

tion in the opinions and decisions of the Board, with reference to the general principles upon which the administration of relief should be based. In every Union, indeed, there are Guardians of superior qualifications and regular attendance, usually headed by one or more of the *ex-officio* members, who serve to modify and keep in check what would otherwise be an evil of intolerable magnitude; but such Guardians form but a small numerical minority of their respective Boards.

4. This fluctuating character of the Board presents a serious obstacle to the progress, in the minds of its members, of those general principles alluded to in the preceding section. Whenever a Guardian, however uninformed he may chance to be in regard to the rules that ought to guide the administration of relief, can be induced to appear constantly at the meetings of the Board, he becomes gradually impressed with more correct views, his prejudices are diminished, and he assists in disseminating sound principles amongst others. But these results can rarely be obtained under the present system; and those who attend regularly have the mortification to perceive that a continual struggle is requisite to prevent the predominance of the unsound opinions which the casual attender unhesitatingly advances.

5. Another effect of the law under which a Guardian is elected for each township is, in many cases, to induce a sacrifice of permanent advantage on account of the present cost attending the assertion of the correct rule, and thereby to render improvement beyond a certain point all but unattainable. Thus an Overseer-Guardian who pays the bulk of the rate in his own small township is almost invariably indisposed to consent to the application of the workhouse test. In bastardy cases this reluctance is, perhaps, most frequently perceptible. The Guardian, to whose petty township the mother of a bastard child has become chargeable, may be told of the importance of resolving that such woman should be relieved only in the workhouse; the necessity of adhering to such a rule if any salutary result is desired, and the probability that in fifteen cases out of twenty the woman will not remain in the house; but his answer will be, that this may be one of the five cases in which she will remain; that her staying in the workhouse with her child will cost him 5s. or 6s. a-week, whilst out of it they would cost but 1s. 6d.; and that he is not disposed to pay 3s. 6d. or 4s. 6d. a-week out of his own pocket for the sake of upholding a principle which, even if valuable to others, is productive of no particular advantage to himself; and, if such be his feeling in the case of a woman with but one bastard, it will necessarily apply with accumulated force to that of a dissolute character with two or three such children; this fact, moreover, being ever observable in reference to the above illustration, that the Guardian whose pocket is immediately affected thereby, is sure to receive the support of others who would act from similar motives, if the case were their own, and are consequently influenced by a fellow-feeling.

6. The largeness of the total number of Guardians, of which the present law authorizes the return, is of itself most disadvantageous in its relation to the efficient transaction of business. The subjoined Table will sufficiently illustrate this fact:—

County.	Name of Union.	No. of Townships.	No of elected Guardians.	Population.	Declared Annual Expenditure.	Average Population of each Township.	Average Expenditure of each Township.
					£.		£.
Northumberland .	Alnwick . .	62	68	17,263	6,888	278	111
"	Castle Ward .	77	79	15,539	5,754	202	74
"	Hexham . .	69	80	27,271	8,912	395	121
"	Morpeth . .	72	77	14,340	5,329	199	74
"	Rothbury . .	71	72	7,715	3,639	108	52
Durham	Stoekton . .	41	54	23,236	7,375	566	180
"	Teesdale . .	44	52	19,839	7,730	450	175
Cumberland. . .	Penrith . .	39	50	21,208	6,199	543	159
"	Coekermouth .	47	58	31,835	7,434	677	158

To carry a measure requiring calm consideration, and somewhat opposed to the preconceived notions of the parties, in a Board, consisting, as the foregoing Table shows, of sixty, seventy, and even eighty Guardians (most of them being also Overseers, and from their habitual absenteeism knowing little of the various bearings of the question), is all but hopeless; and nothing, perhaps, tends more to discourage the working Guardians, who, after carefully considering a proposition of enlarged utility, recommended it for adoption, and summoned the whole Board to give it the necessary sanction, than to find with what little regard to fair argument their deliberate opinions are too often rejected in obedience to a foregone conclusion.

7. Many of the circumstances that have been adverted to produce great dissatisfaction in the minds of the urban Guardians, who are in most Unions associated with the representatives of small rural townships. The Guardians of urban parishes are generally men of business, are usually those who had rendered most efficient services in the select vestries, and are always disposed to take considerable interest in the proceedings of the Board. They complain, however, that the rural Guardians (though availing themselves but rarely of the privilege when gained) insist on the Board-meetings being held upon market-days, when the urban Guardians, being chiefly tradesmen, cannot attend without serious inconvenience. They complain also that, whenever a measure proposed for the general advantage of the Union appears calculated to confer a greater proportion of such advantage on the town than on the townships, it will be almost invariably defeated by the appearance in Board, *pro hâc vice*, of absentee Guardians, who (representing townships of inconsiderable extent and trivial expenditure) are at other times quite contented to leave their more diligent colleagues undisturbed in the dry and burthensome discharge of the regular business; and that they (the urban Guardians) do not complain without reason, the following Table, exemplifying the disproportion that exists between the number of Guardians and the population and expenditure, may serve to show:—

Name of Union.		Number of elected Guardians.	Population.	Declared Annual Expenditure.	Proportion per cent. of the No. of Guardians of Towns, and the No. of Guardians of Townships, to the collective No. of Guardians of the respective Unions.	Proportion per cent. of the Population of Towns and the Population of Townships to the total Population of the respective Unions.	Proportion per cent. of the Expenditure of Towns, and the Expenditure of Townships, to the total Expenditure of the respective Unions.
Morpeth	{ Town of Morpeth	4	3,890	£. 1,502	5	27	£. 28
	{ Other townships	73	10,450	3,827	95	73	72
Alnwick	{ Town of Alnwick	7	6,783	2,866	10	39	42
	{ Other townships	61	10,475	4,022	90	61	58
Stockton	{ Town of Stockton	8	7,763	2,504	17	33	34
	{ Other townships	46	15,473	4,871	83	67	66
Teesdale	{ Town of Bernard Castle	5	4,430	1,473	10	22	19
	{ Other townships	47	15,409	6,257	90	78	81
Kendal	{ Town of Kendal	7	10,015	2,309	10	30	18
	{ Other townships	60	22,725	10,419	90	70	82
Penrith.	{ Town of Penrith	5	6,059	1,261	10	29	20
	{ Other townships	45	15,149	4,938	90	71	80

Such being the principal evils and inconveniences resulting from that part of the law of election which has been brought under notice, the remedy for them would seem to consist in the combination of rural (as contradistinguished from urban) townships for the election of a certain number of Guardians in common. Admitting that at the first introduction of the New Poor Law it might have been politic and beneficial to afford all parties an opportunity of witnessing, in the smaller subdivisions of the country, the practical operation of the Union system, that purpose has now been answered, and such a reason for the law has therefore ceased to operate. To prevent, however, any jealousy of the powers of the Poor Law Commission, it might be provided that the registrars' districts, which have been formed under the Act for the Registration of Births, Deaths, and Marriages, and which now constitute recognised legal divisions of the country, should, *except in the case of urban parishes*, be the electoral districts for Poor Law purposes. But whether this arrangement be adopted, or the combination be left, as it properly might be, to the discretion of the Poor Law Commissioners, the advantages to be derived from the suggested alteration can scarcely be over-rated, more especially when it is remembered that the all-important question of the systematic education of the pauper children in this district (of whom above 11,000 are chargeable to the Unions in Northumberland and Durham alone) has yet to be settled. Under the law thus amended, the probabilities of obtaining the services of men of intellectual and social weight would be obviously increased; such men, being representatives of a district and not of a township, would feel their real character as Guardians of the Union: their limited number would induce a periodical attendance, inasmuch as they would have been selected from competency and willingness to serve, and not because the township of A. or B. wanted a man to enact, *pro forma*, the part of a Guardian; regular attendance would infallibly secure a gradual indoctrination in, and observance of, sound principles; and, if

these points be conceded, it follows that by Guardians thus elected, uninfluenced by any particular inducement to sacrifice the certainties of permanent advantage to the anticipations of present saving; unable, in point of fact, to calculate nicely how much of the difference between such permanent advantage and such present saving would come out of their private purses; the large and comprehensive objects of the Poor Law would be fairly and fully carried into execution.

JOHN WALSHAM, *Assistant Commissioner.*

No. 4.

EXTRACT from a REPORT of SIR EDMUND HEAD, Bart., Assistant Commissioner, suggesting certain AMENDMENTS of the LAW.

4th April, 1839.

It may, perhaps, be permitted me to offer a few general observations on what are at present the principal impediments to a further progress in sound principles of Poor Law administration within my district.

These obstacles appear to me to be mainly the following:—

1st. The extreme difficulty which now exists in punishing the neglect or desertion of members of a family by its head, from there being no legal fund whence expenses under the Vagrant Act can be defrayed. I well know that the importance of the point is duly appreciated by your Board; *exaggerated it cannot be.* The whole principle of the Poor Law Amendment Act is at stake in this matter, and the applicability of the workhouse test to the able-bodied labourer hangs on a thread—the tie which binds him to the fortunes of his family; for, if he can with impunity relieve himself of the obligation of a husband and a parent by absconding and sending them into the workhouse, all that has hitherto been affected will be vain and profitless. This tie is of two kinds—that of natural affection, and that which the law creates by punishing desertion or wilful neglect. The use of the latter is to anticipate the rude strain of the former which would ensue if we trusted to its unaided powers. Repeated conflicts with the wish of selfish enjoyments, and of unfettered movement, would gradually weaken, and, in *very many cases*, destroy the subtle bond of family affection; and the result would be a deeper demoralization in the agricultural districts than has yet existed.

As things at present stand, expenses under the Vagrant Act are not a legal charge on the rates, and desertion of a family may take place almost with impunity.

The complaints of every Union are loud on the subject; and I think it of the *utmost importance* that means of enforcing the law should be given by the legislature with as little delay as possible.

2nd. The second obstacle to the further progress of sound administration is the feeling on the part of the Guardians that, as the cost in the individual case of the maintenance *in* the workhouse is more than that *out*, the latter is preferable when it can be given by law, or sometimes even by an evasion of the law.

It is most curious to see how this dread of expense in single cases, and the insensibility to the fact that numerous and prolonged small out-door allowances amount to more than the cost of the few and

short cases which enter the house, has taken possession of particular Boards, and clogs all their movements. The Union in which I am at present writing, that of Upton-on-Severn, offers a most remarkable instance of such a feeling, which I have endeavoured repeatedly to combat, and sometimes with success.

It is obvious that anything which tends to diminish the cost of maintaining individual paupers in the house will proportionably go to destroy the action of this fear of expense. I think, therefore, that it would be wise to throw the cost of coals, soap, brushes, candles, and other necessaries, which may perhaps fairly be deemed a part of the cost of keeping up the establishment, on the *establishment*, and not as now, on the *in-maintenance* account.

If, when a change takes place in the law, *clothing* could be charged in the same way, it might be an advantage.

I am well aware that, if we reduce the cost of maintenance in the workhouse too low, we should lose the beneficial action on wages which is produced by the cost of the keep of a family. But while it is thought expedient by the public that the pauper should be better fed than the man who maintains himself, there is no fear of any reduction so great as to destroy this benefit.

I say nothing on the point how far it is a legitimate object of a Poor Law to influence wages, though we may rejoice that, incidentally, it does in certain cases produce the effect, and may feel that we are not tampering with a labour-market in a sound state, but with one which has been mischievously acted on in an opposite direction by the corrupt practices of the old Poor Law.

3rd. The third impediment in the way of securing the full benefit of the Poor Law Amendment Act is the difficulty of detecting and hindering *illegal* cases of *relief*.

There are three conditions necessary for effecting this end.

First, that the facts connected with individual cases of relief should be known. Secondly, that the auditor should be competent to judge of the legality or illegality evidenced by those facts. Thirdly, that he should have sufficient independence and authority to act on such conclusions, by disallowing those charges which appear illegal.

The first condition is secured in part by the checks imposed in the Report and Application Book, unless the relieving officer venture to make a wilfully false entry, but still, though an able-bodied case *may stand on his book*, it by no means follows that the auditor *sees it*, especially as his attention is mainly directed to the figures. I have often thought that it would be well to oblige each returning officer to prepare an abstract of all able-bodied and non-resident cases, to be laid before the auditor *separately*, at the end of each quarter; thus, instead of cases of doubtful legality being buried in a mass of others of a different character, the auditor's attention would necessarily be called to them. He might be required to sign the list as allowed, and transmit it with the quarterly abstract to the Poor Law Commissioners.

I am sorry to say that the second and third requisite, above referred to, viz., the competence and the independence of the auditor, are, from the mode of appointment at present, often wanting.

No. 5.

REPORT from EDWARD T. B. TWISLETON, Esq., Assistant Commissioner, from Norfolk and Suffolk: (with Letters appended.)

GENTLEMEN,

Norwich, November 4th, 1839.

IN obedience to your instructions, contained in your circular of the 1st of October, I have perused your draft Report, which had previously been transmitted to me, on the proposed Amendments of the Laws relating to the Relief of the Poor; and I now submit to your Board such remarks as have suggested themselves to me on the several topics to which you directed my especial attention. On the two first heads I addressed questions to nearly all the Chairmen of Unions in this district, and also to some other individuals favourably known as having exerted themselves in carrying out the New Poor Law. I have received answers from many, but not as yet from all; in fact, the general impression seems to have been, that the New Poor Law had not been long enough in operation to enable them to furnish satisfactory answers.

I.—It must appear tolerably certain, even to a cursory observer, that attempts will be made in the next Session of Parliament to relax, in favour of men with large families, the prohibition of partial relief to the able-bodied. The evils of what is commonly called relief in aid of wages to the able-bodied are now so universally admitted that I have never yet met with any one in this district who advocated a return to the old system of giving out-relief to able-bodied labourers in *ordinary circumstances*. But there is a notion in the minds of many that cases frequently occur where the united earnings of a large family, working at the ordinary rate of wages in a district, are absolutely insufficient for their subsistence; and it is contended that a discretionary power should be intrusted to Boards of Guardians, of giving partial relief to such a family, either by allowances out of the workhouse, or, as the more cautious would restrict it, by taking into the workhouse two or three of the eldest unemployed children.

The most material point to be determined is, whether in this district such cases *often* occur. And I must say that the evidence presented to my notice leads me to believe that such cases are of comparatively rare occurrence, and that opinions to the contrary seem founded on the common misapprehension which has worked so much mischief of confounding *privation* and *indigence* with *destitution*.

The common wages of this district during the last winter varied from 10s. to 12s. per week, being generally highest where the workhouse test was most rigidly applied; they were as much as 15s. or 16s. a-week for task-work, which has now become very common. On such wages a labourer with a family of the average number can maintain himself in tolerable comfort, with reference to his customary fare and mode of life. But when there is an unusually large family, the case is altered. Additional thrift in summer, the most prudent management on the part of the wife, and employment of the children at an early age, may all fail of preventing considerable privation and suffering during the winter months. But such state of privation furnishes no ground for relief from a public fund; and it seems tolerably clear that it was not prevented by the old system of out-allowances.

One of the most common fallacies on this subject is to take into consideration merely the average rate of wages, and the question is sometimes triumphantly asked, "How can a man, his wife, and seven children live on 10s. a-week?" But this leaves unregarded other sources of earnings, such as increased wages by task-work, earnings of the wife, earnings of the children, and perquisites sometimes allowed by farmers who are unwilling to raise the rate of wages from fear of not being able to reduce them in plentiful seasons.

On the subject generally of labourers with large families, I may be allowed to quote the statements of Mr. Newton Shawe, chairman of the Woodbridge Union.

"I believe the out-allowances which were formerly given to able-bodied in this Union have been fully made up to them by the employment of their children. I see this daily in the number of operations in husbandry now done by women and children to the saving of horse-labour to the farmer; such as taking out couch-grass by hand, instead of ploughing several times, and not remedying the evil so effectually; dibbling wheat, instead of drilling, where a man and his family can earn from a guinea to five-and-twenty shillings a-week, the farmer being repaid for the labour in the saving of the quantity of seed. The workmanship of this process costs from 7s. to 8s. an acre, and three-quarters of a bushel of wheat is saved. There is a school in this neighbourhood of more than 100 children; they have leave to work whenever they can get employment. There are now (13th September, 1839) seldom more than half the number on any one day, whereas formerly the proportion at school was much greater. I now come to the case of a man with six children incapable of work;—what is to be done with him? I might say that I know many parishes in which such persons support their families by their own labour only, assisted by an active wife; or refer you to the list of premiums at our Agricultural Association, where rewards are distributed to some on the list who have brought up thirteen children without ever having received parish relief; so that the thing is possible. In such cases the farmers take care to keep the man employed at work where he can obtain the highest wages, and to throw any little work in the way of the wife that she can perform in her cottage, such as washing, mending, &c. There are, however, very few cases of six children incapable of work." . . .

"I have seen in this neighbourhood the miseries of an out-allowance to men who have physically the power of maintaining themselves. I have known a man begin by receiving 1s. a-week, and get up to the receipt of 12s. I know not how you are to prevent this taking place again; the same cause will produce the same effect. But this is only to be done in the case of *large families*; such was the rule laid down for out-allowances in times gone by, and from which we now refuse to learn experience: the system began with large families, and ended in making our labouring population almost all paupers. What security have we that the same thing will not take place again?" . . .

"We can do much better for the labourer with six children by pointing out that he will cost 24s. weekly in the poor-house, and that with a garden of a quarter of an acre and 16s. a-week he will be content to give his labour in return, than by giving him an out-allowance. Besides, if you give money to the man with six children, why not to him with

four, or with two, if the earnings of the heads of the families are in proportion? There would be no justice in our proceedings. After all, the question is, would the labourer be benefited? I think not, unless you give the power of fixing the rate of wages—the farmer will not pay rate and wages too, and the moment the out-allowance system commences down will go the wages, and all the children that are now actively at work will be thrown out of employment. The best labourers are now eagerly inquired after, because, as each farmer must employ his proportion of labour, each is anxious to obtain the best workmen. This appears to me to be a desirable state of things, nor do I wish to see it altered.”

But even admitting that these supposed extreme cases were more numerous than there is reason to believe they are, the appropriate remedy is not partial relief. The workhouse is always open to receive such families, in order to alleviate absolute destitution; and private charity operates most beneficially to prevent the necessity of adopting this last resource. That private charity is now actively at work may be shown by extracts from the letters of two gentlemen with diametrically opposite opinions.

Mr. Godfrey, one of the Directors of the Sainford Incorporation, in explaining the principles on which that Incorporation has been so admirably managed that its out-relief is now by far the lowest in this district, having stated *that during fifty years they had used the workhouse as a test of destitution*, though they occasionally took children of able-bodied into the house, proceeds to say, “Since the amended administration, no children are taken from the parents. It was a great evil, I always contended, as severing children from parents, encouraging improvident marriages, &c., &c. It was abolished by an express order of the Poor Law Commissioners. The consequence is, that private charity has risen up where there is really need, (in finding work, sending to service, &c., &c.) and that to a degree almost unjust, so that there is still a small premium on improvident marriages.”

Again, Mr. Cator, Chairman of the Blofield Union, whose acute sympathy with individual suffering has made him unfriendly to the New Poor Law, states the following case “of a man, his wife, and six children under nine years of age, *all girls*,” of whom he says, “the man loses no time, works to the satisfaction of his master, and is unquestionably entitled to the character of a good servant. His master pays the highest rate of wages in the country, and the man earns 13s. per week; it could hardly be expected, with such a family of young children, that the wife should go out to work; but she does so; she leaves her children, and goes out when she is able. Nevertheless, their joint earnings are insufficient to pay for rent, fuel, food, and clothing.” After commenting on the extreme cruelty of refusing all relief to them, except in a workhouse, he proceeds to say, “*that if the wife had not a kind sister and friends to assist her family, among whom is her master, who has been very kind and generous, it would now be in the Union-house, at the expense of 24s. per week to the parish.*”

But surely, in ninety-nine cases out of a hundred, we may calculate with tolerable certainty on assistance of this kind being afforded to persons of good character. For the hundredth case, the suffering may

be intense, but this is relatively a small evil compared with those which have been invariably found to result from any other public system of relief, even when surrounded by the strictest possible safeguards. And it can scarcely be denied that the moral effect is beneficial on persons with such large families, as it makes a good character of the highest importance to them, and thus it ensures, as far as anything outward can ensure, an example of steadiness and industry being presented to the rising generation.

Mr. Gower, Vice-Chairman of the Tunstead and Happing hundred, says, "There is no class where the Poor Law Bill presses so heavily as on the man with five or six little children, yet I am satisfied their condition is much improved. Under the old law, they were the least obliging and first to complain, knowing the expence the parish would be at to maintain himself and family. Now they are sure to be the most obliging, in consequence of which they are met by a desire on the part of the employer to give him every advantage, by employing his family and finding task-work for himself. I could quote, if necessary, numerous instances in our hundreds where families were maintained by the parish a greater part of the year, which are now supporting themselves."

As for a discretionary power in these matters being safely intrusted to Boards of Guardians, I own, with all possible respect for their general intelligence and integrity, that I doubt whether they would be fit depositories of such a power. It must be remembered that a Board of Guardians is a fluctuating body, the majority of whom are elected annually; of these only a few attend regularly, and scarce half, even of the latter, take a concentrated interest in what is passing,—yet their votes are as effectual as the votes of those who do the real business, and often overpower them. To suppose that under such circumstances sound principles can always be maintained, would imply the supposition that a sound knowledge on the subject of the Poor Laws is now universally diffused, and the bad tendency of improper modes of administering relief is now readily perceived. But this is far from being the case. The most *glaring* bad practices have indeed been suppressed, and the consequent reduction in the rates has made the disapproval of them very general; but when you advance one single step beyond what is capable of being proved by striking and palpable results, you find that false principles of charity prevail to an inconceivable extent, and, if all restraint were removed, it is impossible to say with what luxuriance they might shoot forth. But there is reason sometimes to complain, not only of defective knowledge, but of an influence from without, which is perhaps unsuspected by many of those on whom it operates. A popular fallacy is very prevalent, that profuse administration of public relief is a sign of *humanity*, and, until this notion is uprooted, which will only be at some distant day, a guardian who is generous with what is principally other persons' money will always be extolled as eminently humane. Hence nothing is more common at some Boards than for such gentlemen to compliment each other on their humanity and kindness to the poor, whereby, of course, it is insinuated that those who take a different view of their duties are cruel and inhuman. Now these notions naturally produce considerable effect on the minds of those who are keenly alive to the praise or censure of their neigh-

bours and fellow-men. And this may be traced in the greater relaxation of strict principle which is sometimes manifested by guardians towards an applicant coming from their own parish. Hence, occasionally, when relief is granted to a pauper, he addresses himself personally to one of the guardians, and exclaims, "Thank you, Mr. A. or B., I know that you have always stood my friend at the Board." There are few minds strong enough to withstand always a feeling of self-complacency at such praises.

But even granting that the Board might exercise the soundest discretion in their occasional deviations from strict principles, *their* discretion would be insufficient, unless you could make the working classes themselves calculate accurately on the exercise of that discretion: and this seems morally impossible while human nature remains what it is. We know that man is sanguine, and prone to build extravagant hopes on slight foundations. All deviations from a general rule have a tendency to break down forethought, and to produce eventually greater evil than they alleviate. It is far the truest kindness towards the poor to be strict, and even stern, in maintaining un-infringed general laws of relief. They then know precisely what they have to expect, and prepare themselves accordingly.

II.—With respect to partial relief in aid of wages to the partially disabled, although I fully agree in the opinion that it ought to be discontinued, I must add that I have met very few persons indeed who are prepared for such a course. Even those who have seconded with alacrity all other propositions that have emanated from the Poor Law Commissioners hesitate and demur in adopting these views. Mr. Newton Shawe says:—"Out-allowances to the partially disabled, either from age or infirmity, is the most difficult question brought before our Board. We all feel the hardship of forcing such a case into the poorhouse; nor, indeed, do we do so: we generally get some farmer to employ the man, to ascertain, by comparison with others, or by putting out a job of work to him at the price the best labourer would take it for, what is really the worth of his labour. If, assisted by his family, he cannot earn enough to maintain them, we give him an out-allowance; the relieving officer investigating his position from time to time to see that we are not imposed upon. In this manner I trust the out-allowance does not interfere with the independent labourer, as farmers always prefer the services of the latter."

Mr. Sandby, Chairman of the Wangford Union, who, in his letter to Dr. Kay, submitted to the Committee of 1838 of the House of Commons, so clearly and decidedly expressed his views respecting relief to the able-bodied, writes as follows:—"In regard to the 'partially disabled,' I have the greatest difficulty in coming to a conclusion; for, while I am by no means prepared to recommend the prohibition of out-door relief in all cases of the partially disabled, from reasons that are obvious, it is impossible not to see that the continuance of such relief must eventually act with an injurious effect upon the *provident* habits of the rising generation, while, in many instances at the present day, it may disturb the natural relations of master and man in respect to the employment and remuneration of the younger labourer. Certainly, in those few cases where our Board has acted with firmness and perseverance in refusing out-door relief, their decision was attended with the

happiest results ; at the same time, I again repeat that, as far as it relates to the partially disabled, I am far from being prepared for its adoption as a general rule."

The principal practical difficulty would be in the parish finding work for such persons proportioned to their strength. If you could always offer the workhouse to them, the difficulty would disappear ; but it is obvious that in some instances (such for example as that of a consumptive patient, or one of a delicate constitution from other causes) confinement in a workhouse might be prejudicial to the health. Now, the parish would often be unable to give them profitable work, and as for their not being allowed to work at all while in the receipt of parish relief, this is something quite foreign to the conception of farmers ; though experience may have shown to the labourers themselves the necessity of adopting such regulations in their "Friendly Societies." It does not seem to me that the evils resulting from this mode of relief are sufficiently *striking* to make an impression on the minds of the majority of Boards of Guardians.

However, some see clearly the bad tendency of such partial relief. Mr. Edwards, Chairman of the Thetford Union, writes :—"Another instance of a partially disabled man who is above sixty, for nine years, or it may be many more for what I know, has continually received relief, but upon the passing of the new Poor Law, and the formation of this Union, whether from the dread of being deprived of his weekly allowance, or from being ashamed of being any longer dependent upon the bounty of others, I know not ; but the effect was, he exerted himself, obtained work, and supported himself without relief, except at severe seasons in winter, when he had occasional out-relief. When the alteration took place of allowing out-relief to the partially disabled, the idea spread that they were entitled to out-relief: this man again applied for out-relief, but the Board, judging from the past, refused it, but gave an order for the house, which he did not accept: he is again supporting himself by his own labour.

"We want to manage as the labourers themselves do in their Friendly Societies, who give no weekly allowances if any work is done; the fact that a man does any work is in all such societies deemed evidence that he is capable of work, and therefore not entitled to be on the box."

Mr. William Gwyu, of the Depwade Union, writes :—"I have always been of opinion, and so expressed myself repeatedly at the Board, that it would be much better and much fairer towards the able-bodied labourer that the persons alluded to by you should be either paupers entirely or not at all ; because, if you give a half-man an allowance from the parish, and allow him to work, he is enabled to *undersell* the man who depends entirely upon his own exertions for his maintenance, and I am afraid these half-paupers are often employed *cheaply*, to the injury of the independent labourer. Either let them receive a good allowance or none at all ; if an allowance, with the understanding that they should do no work. There are times when *all* may be employed, and the present is one ; but in the winter, and other periods when labour is scarce, it is surely better that the half-labourer, if requiring relief at all, should be wholly maintained by the parish. But I beg to assure you that this is an unpopular view of the subject, and would require great consideration before putting into practice.

“The elder children of labourers, boys of fifteen, would find that employment which is now in possession of these half-paupers, and this surely would be a great relief to the father of such a family, although not perhaps to the *parish*.”

“This has always been my view of this question, but I repeat that it is, I know, an unpopular one with the farmers, and I am satisfied the plan I have mentioned would meet with great opposition.”

The only one among the new Unions in which partial out-relief is not given ordinarily to the partially disabled single persons is the Cosford Union, in which the reduction of rates has been greater than in any other in this district. Mr. Calvert, the Chairman, informs me that the only exception which they admit is in favour of old or disabled women who are supposed to earn a trifle by spinning. Even in this Union, however, relief is afforded to *married* labourers not able-bodied, by admitting into the workhouse one or more of the eldest of the unemployed children.

The general conclusion I have arrived at on this head is, that, although to withhold relief in aid of wages from the partially disabled is the wise and proper course, yet that this district is by no means ripe for such a mode of dealing with them. It appears to me that it would excite general opposition, and the evil of the clamour would be far greater than the good effected by the saving. Indeed, it would be much more feasible to prohibit at some future period all out-relief to widows who have no children under seven years of age, although the time has not arrived when even the latter measure could be quietly carried into effect.

III.—As regards the securities for the skill and independence of auditors, I am unable, owing to the comparatively short period during which I have performed the duties of Assistant Commissioner, to give any information of importance beyond what is contained in the Draft Report of your Board. Unions in this district have been allowed to unite for the election of an auditor, and in one instance there is only one auditor for as many as nineteen Unions. In the performance of his duties I have no doubt that the gentleman last alluded to will act both with ability and with boldness; but he has confessed to me himself the awkwardness which he has felt in finding fault with the proceedings of Boards of Guardians to many members of which he is under personal obligations; and no one admits more fully than he does the propriety of auditors being appointed solely by the Commissioners. This is most decidedly my own opinion. I think that they should be not only appointed but also paid by the Poor Law Commissioners; that the same auditor should be appointed for many Unions; that the salary should be ample, and only first-rate men should be selected for the office. It appears to me as faulty to allow Boards of Guardians to nominate and pay their own auditors as it would be to permit schoolboys to elect and pay their own schoolmasters.

IV.—I will now conclude by adverting to some particular influences and causes, impeding the amended administration of the law, which have not been explicitly treated of in your Report.

1. In the first place, there is, I conceive, no slight jealousy on the part of some country gentlemen at the idea of their being in any way controlled by an external power in managing the affairs of their own

parishes. The dislike of such persons is not so much to any particular mode in which that power exercises its functions as to the very existence of the power itself. Many of them possessing a large proportion, and some of them the whole, of the parish in which they reside, it is strange and unnatural to them that any legislative or administrative authority should interfere with the management of *their parish*, which seems almost the same in their estimation as meddling with the management of their *private property*.

When we call to mind the cordial co-operation with which the Poor Law Amendment Act has been carried into execution by a large proportion of the nobility and gentry of England, it will scarcely be asserted that the feeling of jealousy above alluded to is *very common*; but still it does exist, and is worthy of being noted among the impediments to the vigorous working of the law. Perhaps the present generation must pass away before that feeling will absolutely cease to operate.

2. In the next place, although it is an undeniable and gratifying fact that in the rural districts political animosities have not prevented gentlemen with all shades of political opinions from acting together for the common good, this cannot be asserted with equal truth of the *towns*.

In the present balanced state of political parties in towns, very slight variations of popular feeling may turn the scale at the hustings in favour of one or other of the rival candidates. Hence electioneering agents are constantly on the watch for any unguarded acts or language of those who are opposed to the party which they represent. Now it cannot be denied that the New Poor Law exhibits certain features of unpopularity which render its political supporters timid and backward in asserting and acting on what they think and know.

Accordingly, some towns might be mentioned in which, owing to these causes, no progress whatever is made in carrying out the new law.

3. However, both these latter impediments are perhaps of a transitory and temporary nature; but there is one which is likely to be more durable, which consists in the peculiar character of the English people. Of all nations which have been remarkable in the history of the world, they have manifested the most singular backwardness in carrying out principles to their remote legitimate consequences. They always stop short, and rest content with realising a moderate practical good, leaving it to men whom they call theorists to point out greater advantages as within their reach. This was strikingly the case both at the Reformation and the Revolution of 1688, and has often been eminently beneficial. It was, in fact, the chief security, during the agitation consequent upon the proposal of the Reform Bill, against the subsequent adoption of extensive and perilous changes.

Bringing this character to the consideration of the Poor Laws, they adopted and have maintained the workhouse test for the able-bodied, on account of the decisive and palpable reduction of the rates which it occasioned. There is and can be no mistake about the matter. When the overseer comes for the rates, money remains in the pockets of the farmers which would infallibly, under the old system, have been transferred into the hands of the overseer. But the *principles* of the New Poor Law seem to have taken such slight hold on their minds that it is difficult to induce them to adopt any prohibition of relief which does not effect some immediate and perceptible reduction of the rates.

I see in this peculiarity of character a practical difficulty which will embarrass the Poor Law Commissioners in every further measure which they may recommend, and which will prevent the future progressive improvement of the Unions from corresponding with the sanguine anticipations of many benevolent men.

I am, &c.,

EDWARD TWISLETON,

Assistant Commissioner.

To the Poor Law Commissioners.

EXTRACTS of Letters transmitted by Mr. Twisleton, Assistant Commissioner.

EXTRACT from a Letter of W. L. B. FREUER, Esq., Vice-Chairman of the Hoxne Union.

“THE condition of the labourer who is now entirely dispauperised, and who under the Old Poor Law was a regular weekly pensioner, is so greatly improved that one can scarcely believe that they are the same individuals; for, as under the Old Poor Law it was to their interest to make themselves appear as wretched as they possibly could by a continued feigning to appear so, by the force of habit they in time actually became what they appeared to be, so under the present system, by reversing the motives to their interested feelings, and by inducing them to bring up their families in as respectable a manner as possible, and keeping themselves in the employ of good masters, they are now also becoming what they appear to be, that is, respectable members of the community; they are now properly appreciating the benefits of constant employment at good wages; and we begin to see those bonds of mutual good feeling between master and man again cemented which had been torn asunder by the debasing influences of the Old Poor Law. I do not here intend to state that there are no cases among the independent labourers where hardship is not to be found; on the contrary, I believe there has been many a case where a man has had to support a large family of small children, that they have been obliged to undergo great hardships, and such would of necessity be the case under any change of legislation, more especially during the time that must elapse before expedients can be found to remedy those hard cases; and I am happy to add that we now do find, by the great demand for labour at all ages, from 7 years old to 70, by the almost general allotment of small portions of land to the labouring man who has a family to maintain, by the distribution of charity in the proper and legitimate channels, and by the greater stimulation to exertion in the minds of the lower orders, that these cases are so much ameliorated as to be called almost completely remedied. For we find now where the labourer has constant employment that he can afford to clothe his family respectably can keep his fat pig in the sty, and at Michaelmas can pay his rent as it becomes due.

“But I will now revert to another portion, and I am happy to say a small portion only, of the labouring population, *i. e.* to those who are receiving partial relief from the parish funds in consequence of having a part of their families in sickness, or labouring under some infirmity: by having out-door relief granted in these cases they generally conceive

that, as there is a facility given to obtain it in one instance, if any, even the slightest opportunity occurs, they will be able to obtain an addition to that relief; this sort of reasoning induces them to depend on a mere casualty, and to neglect those exertions which the independent labourer is stimulated to by the knowledge that it must depend *solely* upon himself what his income is to be, and by this continued neglect of the exertions of which they are actually capable they remain in a state of pauperism and poverty; their families may always be distinguished from those of their most industrious brethren by their ragged clothes and lazy demeanour, their cottages may always be found in a state of destitution and wretchedness, and they themselves are always the most insolent and worse-conducted labourers in the parish where they reside; but, in order that you may see these cases the more clearly, I will furnish you with facts as to two cases on each side, which of themselves will speak more than I can in any way otherwise describe.

“The first two shall be cases of independent labourers, who have been entirely dispauperised.

“John Scales has a wife and a family of seven children, and who under the Old Poor Law received the head-money weekly, are now all maintained independently of parish relief; since the New Poor Law commenced they have been able to get two of their eldest children out at service, and to clothe them when they first went out, and still to assist in doing so. The man has constant employment, mostly at piece-work; the two eldest children of those at home are generally employed by the same master; the wife has a considerable share of employment at such times as she can spare from her family, at the different farm-houses in the parish, as charwoman.

“James Ling has a wife, and has had up to March last six children to maintain; one died, the five remaining are all girls, which is considered to be a family not likely to earn half so much as boys; the man is at constant work, generally task-work; the woman goes to work all summer in the fields, taking her girls with her; in the winter they have but little to do, but in the summer they earn a great deal of money.

“These two families have each of them allotments of a quarter of an acre of land, from the produce of which they have been enabled this year to pay their cottage-rents; their children are decently clothed, and brought up in habits of industry and economy; they can fat their pig of ten or fifteen stone, and keep their cottages respectably furnished.

“We will now look at two other characters, who are at times partially relieved from the parish funds.

“James Read has a wife and seven children, two of whom are out at service; this man had been for some time in constant work for a master who did all in his power to assist him by giving him task-work, and by taking such of his children as were capable of any work at all into his employ; but with all this care and kindness he was always discontented and grumbling; he cannot forget the sweets of the head-money system, when he used to say he could get as much for play as for work. This same master, out of pure kindness to the man, on account of his family, took the eldest girl into his house before she was capable of taking any other place on account of her being so young; he had been

allowed by the trustees of some charity estates in the parish, left for parochial purposes in part, to occupy a house rent-free, but all would not do; he actually most grossly offended his master who had been so kind to him, and thereby got turned out of his employ, and could only since then obtain casual work; one or two of his children have been at times unhealthy, and the man has had a chance few days of illness; this has been the pretext for applying for and obtaining at times outdoor relief from the Board of Guardians, and, having thus obtained it, they are still grumbling because they cannot have it continued to them on account of their large family, forgetting their own wilful bad conduct in throwing themselves out of the employ of one who allowed them such work as would keep them in comfort; and here we see that, although this man has an allotment of the same extent as the two preceding cases, and living as before mentioned rent-free, their cottage is not near so well furnished as Ling's or Scales'; their children are not so well clothed, constant grumblers, and all for want of proper moral discrimination.

“William Mullinger has a wife and five children. Here is a notorious instance of a state of debasing immorality, completely, I believe, brought on by relief having been given to them for years, and at times even now continued to them in casual sickness. This man is a cunning, crafty fellow, who does not at all approve of going to work; and the children are brought up in habits of laziness and the grossest depravity—instead of being compelled to go to service, they are encouraged to stay at home; a girl, the eldest, is now the mother of a bastard child; the others are at any time to be distinguished by their laziness and bad behaviour; and if at any time even the most trivial case of sickness occurs in the family they are sure to fly immediately to the relieving officer; and in a recent case of slight illness of the wife medical relief was granted them, but, as the medical man happened to be engaged for a few hours in a case of a pressing and urgent nature, they would not wait for him, but actually could afford in their indignation to send for another medical man and pay him from their own resources; and when the parish doctor arrived the door was slammed in his face, and he was told to go where he came from, for he was not wanted there. This man has such a share of shrewd wit and natural ability, that I firmly believe, if he had taken only half the care to be an honest man that he has exercised towards cheating others, he would now, instead of being in the wretched state he is in, have been a man of substance in the world.

“The above cases are all of them personally known to me, and indeed all are belonging to the parish where I lately resided.

“The effects of relief given out of the workhouse to persons represented to be upwards of 60 years, but who are yet able-bodied, has been to deter them in a great measure from seeking so perseveringly for work as they otherwise would have done, and we are often compelled to resort to the test of the workhouse where outdoor relief has been granted in order to stimulate them to the exertion necessary to obtain employment.

“In cases where outdoor relief is granted to the partially disabled, we are the most subject to imposition, more so than in any other cases that come before us, for partial disability is almost sure to be made the

cloak for hypocrisy and imposture, and they are consequently the most difficult to deal with; for if the test of the workhouse be applied on a first application, or even after it has received a temporary out-door relief, we are almost sure to have an outcry raised against us for being hard-hearted and cruel; whereas, on the contrary, if the test has been applied, and it proves to be a case where the applicant chooses rather to maintain himself, thereby proving that there was no necessity for making the application, we get very little credit for the test otherwise than the satisfaction of knowing that imposition has been detected and prevented, and the funds of the Union have been so far spared; these are the cases which now require our most constant care and attention, for as some do, and I believe some of them very properly, obtain relief, even these are inducements for all sorts of expedients to be resorted to by those who may have the appearance only of decrepitude or of being partially disabled: and indeed I have been repeatedly told by paupers that they have no right to work after they have arrived at a certain age, merely because others of the same age are obtaining out-door relief; and they say that they can see no reason why one should obtain it at such an age, and others, no matter what their capabilities may be, should be debarred from it; I have not only heard this from the poor themselves, but from others who I should have thought much better versed by their abilities to have seen the case in its true bearing.

“In consequence of the relief thus given to the partially disabled, the demand for the labour of the younger workmen has been of late much greater, and I believe that they by this means obtain more constant employ; indeed the demand for labour in this Union is at times so great that I have known instances of late where, under the old Poor Law, they were accustomed most generally to have 50 or 60 able-bodied men out of employ, they now can scarcely find men enough for their work; and I was told by a respectable farmer in one of the parishes where such a superfluity of labourers formerly existed, that he now found it at times a most difficult matter to obtain men, and that he intended, if the difficulty troubled him much longer, to advertise for labourers in the newspapers.”

EXTRACT of a Letter from the Vice-Chairman of King's Lynn Union.

“I CONSIDER the condition of most of the married labourers in this town to be very bad, owing almost wholly to their own improvident conduct: their earnings at times are very great. I have known cases where individuals have earned upwards of 30s. in the week, and then have made application to the relieving officers for relief, which was granted. I consider this town peculiarly situated, as it is with the greatest difficulty that the earnings of the lower class can be correctly ascertained; and on this account the Board and relieving officers, too, are frequently imposed upon. The only way, in my opinion, to get over this difficulty would be altogether to discontinue out-door relief to the able-bodied. We have in some cases tried this plan, and it has never failed in having the desired effect. One case I recollect particularly; the individual was a sailor, who had a wife and family, and who, from bad conduct, had placed himself in that situation that no captain would employ him; he consequently came to the parish, and was

relieved for a time until the cause of his want of employment was correctly ascertained; he was then lectured severely by the Board and offered the house which he declined. This is near twelve months ago, and he has never applied since, and now, I understand, he conducts himself as well as any man can possibly do, and, as a proof of it, is now in constant employ, and himself, wife, and children (who while receiving relief were almost in rags) are now respectably dressed. There are many other cases of this description that I am acquainted with, which convince me that the withdrawal of all out-relief to able-bodied labourers would not only be a benefit to the rate-payer but to the recipients themselves.

“The granting relief to the partially disabled does not appear to me to work well; but at present I am not prepared to suggest any other plan that would be an improvement.

“The most annoying cases that come before our Board are cases of desertion; and I regret to say that, although strenuously opposed by myself and a few other Guardians, they have almost invariably been relieved. These cases are really becoming very numerous, and I think a suggestion from the Poor Law Commissioners to the Board, that no case of this description should be relieved out of the house, would have a good effect.

“I am a strenuous supporter of the Poor Law Amendment Act, and feel disposed to carry out to the fullest extent the orders and directions of the Poor Law Commissioners.

“JOSEPH WALES,
“*Vice-Chairman of King's Lynn Union.*”

EXTRACT of a Letter from the Rev. Fred. Calvert, Chairman of the Cosford Union.

“I AM of opinion that if Boards of Guardians adopt any system of giving out-relief in aid of wages to men above 60 years of age, or to persons professing to be partially disabled for other reasons, without a previous exhibition of the workhouse test, they will descend very rapidly into many of the vices of the old Poor Law.

“I could produce a dozen instances of men who have passed for persons wholly or partially disabled, and have been regularly relieved as such, but who, upon an offer of the workhouse, actual or implied, have immediately recovered their strength, or have otherwise found means of supporting themselves without parochial assistance. Last year a man named William Finch, belonging to this parish, who had never done a day's work for about 15 years (during which time he had been considered both by his parish, and subsequently by the Board of Guardians, as *wholly* disabled), was observed one day by a relieving officer collecting horsedung on the high-road (his only occupation) at a greater distance from his home, and with a more heavily-laden wheel-barrow than seemed consistent with his professed helplessness. His allowance was stopped, with the understanding that he might have relief in the workhouse; but, instead of applying for an order, a grown-up daughter went out to service, and he hired himself to a farmer as ploughman, at 10s. per week.

“He has been in regular work ever since, and I heard yesterday that

his present employer considers him to be one of the best ploughmen in the county.

“Besides cases of this kind, where pretences of sickness have been detected, there is a very numerous class of persons who have no regular employment and, consequently, no means of subsistence which can be estimated by any but themselves:

“These people live nobody knows how; some carry baskets about the country with various articles for sale; some pick up ‘odd jobs’ in market-towns, &c. &c. Now all these persons were constant pensioners upon the parochial rate formerly, and would again get themselves placed upon the out-door relief list of the relieving officers, if the rule of requiring them to receive relief in the workhouse were relaxed. A great proportion of this class would come under the denomination of the partially disabled; for, if a man has never been seen to work, he has one good pretext for asserting his inability to do so.

“I cannot see in what way Boards of Guardians could find work for any class of paupers otherwise than in the workhouse.

“My wishes with respect to the vaccination of the poor in this Union were completely satisfied by the suggestions of the Poor Law Commissioners, which are now under the consideration of the medical officers.”

No. 6.

MEDICAL RELIEF.—REPORTS from ASSISTANT COMMISSIONERS and other COMMUNICATIONS respecting the ARRANGEMENTS for affording MEDICAL RELIEF to SICK PAUPERS.

COMMISSIONERS’ CIRCULAR to ASSISTANT COMMISSIONERS calling for REPORTS.

*Poor Law Commission Office,
Somerset House, 21st February, 1839.*

SIR,

THE approaching termination of the parochial year, and the consequent renewal of the medical contracts throughout the Unions, would, under ordinary circumstances, have led the Poor Law Commissioners to have taken this opportunity of deliberating and deciding upon any modification of the existing system of administering medical relief to the poor which might appear desirable.

Looking, however, to the probability that the subject of the Poor Law will again come under the consideration of the Legislature in the course of a short time, the Poor Law Commissioners deem it to be advisable not to originate any immediate or general change in the medical arrangements at the present moment, but to confine themselves to the task of laying before Her Majesty’s Government the result of the experience of the various systems which are in action in the different parts of England and Wales, and of drawing attention to the conclusions to which the Commissioners, after an attentive consideration of these results, may ultimately arrive.

With this view, the Commissioners request that you will bestow the most careful attention on this subject, and that you will furnish them, previously to the 12th of the ensuing month, with a Report containing the several matters herein mentioned, which, with the statistical informa-

tion already existing in the office, will, as the Commissioners trust, place before them the whole of this important subject in all its bearings.

1. How are the medical officers selected in the several Unions under your superintendence, and has the system of tender been adopted in any cases?

2. What mode is adopted in the several Unions under your superintendence of fixing and apportioning the salaries of the medical officers?

- i. e.* By a fixed salary,
By a payment per case,
By a pauper list,
Or how otherwise?

3. Has dissatisfaction arisen in any, and in which, of the Unions under your superintendence, on any of the following points—

1. As to the size of the districts;
2. As to the remuneration of the medical officer;
3. As to the qualification of the medical officer;
4. As to the mode in which he is chosen;
5. As to the attendance or efficiency of the medical officer; and you will distinguish whether that dissatisfaction has arisen
On the part of the poor,
The medical officer,
The Guardians,
Or the public generally?

4. Have you observed any facts in any, and in which, of the Unions under your superintendence, tending to show that a disposition to seek medical relief (or relief generally) has been encouraged or discouraged by the medical arrangements?

5. What is the practice in the Unions under your superintendence respecting the medical relief of the families of men who are usually in employment at the ordinary wages of the district?

6. What is the practice in the Unions under your superintendence respecting the medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?

7. Is it the practice in the Unions under your superintendence for aged or infirm persons, or others who are habitually in the receipt of out-door relief, to apply for an order for medical relief before the medical officer of the district attends them?

8. Do you consider that any general or special alteration of the medical arrangements in your district is desirable; and, if so, what alteration would you suggest, keeping in your view more especially—

- The size of the districts,
The establishment of a pauper list,
The mode of payment of medical officers,
And the mode of appointing them?

9. Can you suggest any improvements in the forms of register kept by the medical officers, or in the orders issued by the Board of Guardians or Relieving Officers, or in the forms of certificate given by the medical officers or other practitioners.

Signed by order of the Board, E. CHADWICK, *Secretary.*

REPORTS of the ASSISTANT COMMISSIONERS in reply to the foregoing
CIRCULAR.

I.—EXTRACTS from MR. ADEY'S REPORT—Parts of Somerset, Gloucester, and Wilts.

9th March, 1839.

I have received answers from 35 out of 39 Unions, which I have put in a condensed form, and annexed hereto.

1. How are the medical officers selected in the several Unions under your superintendence, and has the system of tender been adopted in any cases?

In 23 Unions, viz., 22 in Mr. Weale's late district, and 1 in Colonel à Court's, viz., the Chippenham Union, the salaries being first fixed by the Guardians, chiefly on the basis of 3*d.* to 4*d.* on the population, according to distance and other circumstances; the districts and salaries are advertised, and the Guardians select the officer from the candidates who offer themselves.

In 10 Unions in Colonel à Court's late district the case appears reversed; tenders from the medical gentlemen, at a salary fixed by *them*, being advertised for, and the Guardians then making a selection from the candidates.

In 2 Unions, viz., Calne and Bradford, there has been no competition either way, the Guardians having arranged their districts to suit the resident medical gentlemen, at an annual salary mutually agreed upon.

2. What mode is adopted in the several Unions under your superintendence of fixing and apportioning the salaries of the medical officers?

By a fixed salary.

In all the Unions.

In 23 Unions fixed by Guardians on the basis before stated.

10 Unions by the medical candidates themselves.

2 Unions mutually arranged between Guardians and officer.

By a payment per case.

1 *District* of a Union (Highworth) only, with a maximum.

By a pauper list or how otherwise.

None.

3. Has dissatisfaction arisen in any and in which of the Unions under your superintendence, on any of the following points?

1. As to the size of the districts.

No—in 25 Union.

Yes—in 10 Unions, on the part of the medical officers only.

2. As to the remuneration of the medical officer.

No—in 21 Unions.

Yes—in 14 Unions, on the part of the medical officer.

3. As to the qualification of the medical officer.

No—in 34 Unions.

Yes—in 1 Union (Bridgewater).

4. As to the mode in which he is chosen.

No—in 34 Unions.

Yes—in 1 Union (Bridgewater).

5. As to the attendance or efficiency of the medical officer.

No—in 30 Unions.

Yes—in 5 Unions; on the part of the poor 2 of the 5 brought forward by the poor themselves, and the remaining 3 by the Guardians at their request.

4. Have you observed any facts in any and in which of the Unions under your superintendence, to show that a disposition to seek medical relief (or relief generally) has been encouraged or discouraged by the medical arrangements?

Yes—in 20 Unions, the usual cause assigned being the expectation on the part of the pauper of obtaining pecuniary relief when once on the medical lists, *and the unlimited power exercised by the medical officers in ordering relief in kind, to aid the operation of their medicines, a power which they neither possessed nor exercised under the old law.*

In the remaining 15 Unions, the answer to this query is, that they are not aware of any difference.

5. What is the practice in the Unions under your superintendence respecting the medical relief of the families of men who are usually in employment at the ordinary wages of the district?

In 1 Union, to afford it to labourers, but not artisans.

In 2 Unions, to afford it when the heads of families (man or wife) are ill.

In 5 Unions, to afford it only in cases of emergency.

In 27 Unions, to afford it generally when any members of the family are ill.

6. What is the practice in the Unions under your superintendence respecting medical relief of persons not being able-bodied, and who are not otherwise in the receipt of out-door relief?

In 5 Unions, to afford it only in cases of emergency.

In 30 Unions, to afford it to all the Guardians considered unable to pay for themselves.

7. Is it the practice in the Unions under your superintendence for aged or infirm persons, or others who are habitually in the receipt of out-door relief, to apply for an order for medical relief before the medical officer of the district attends them?

8. Do you consider any general or special alteration of the medical arrangements in your district is desirable, and if so, what alteration would you suggest, keeping in your view more especially the size of the district, the establishment of a pauper list, the mode of payment of medical officers, and the mode of appointing them?

Yes, in 17 Unions.

No, in 18 Unions.

The medical officers in general being aware that they would receive orders as a matter of course.

I am afraid a general alteration is not practicable, but that the medical arrangements must depend upon the particular circumstances of the district.

I am fully satisfied that the medical arrangements of the whole of my present district have greatly encouraged a disposition on the part of the poor, whether recipients of pecuniary relief or not, to seek medical relief.

In addition to the usual cause which operates on all paupers not receiving pecuniary relief—viz. the expectation or hope of its leading to pecuniary relief—the medical men, previous to the new Poor Law Act, never possessed, or at least never exercised, the privilege of recommending (in effect ordering) nutritious diet and articles of clothing, as at present, to an extent only limited by their *discretion*. Nor did the payment per case, in midwifery cases, now general, exist under the old parochial contracts. The great bulk of the women were then attended in their confinements by a female midwife, at a very moderate rate. Now they and the midwives, frequently, I fear, at the instigation of the medical officer, make every excuse to obtain his attendance, knowing that relief in kind, in the shape of tea, sugar, linen, &c., is invariably recommended or ordered by him, and in many instances pecuniary relief also allowed by the Guardians. These among others may be mentioned as reasons tending to show the certainty of the existence of a

greater disposition on the part of the pauper to seek medical relief now than formerly.

The system of medical relief which, in my opinion, has worked best, is that pursued at Bedford, which is founded on a pauper list, and the payment per case for casual paupers at a proportionate rate. And it not being the custom in that county to allow the medical officer to direct or recommend any additional dietary (except in some very special case) to any of the out-door paupers, no abuse of the nature I have mentioned had crept in when the Union was transferred from me.

I find, however, the habits of the poor and of the medical men of this district, and the practice as to medical relief so different from Bedfordshire, that I am very far from considering that it is practicable to carry out the same system here.

Can you suggest any improvement in the forms of register kept by the medical officers, or in the orders issued by the Board of Guardians or relieving officers, or in the forms of certificates given by the medical officers or other practitioner?

The two forms directed to be kept by the medical officers are extremely imperfect and unsatisfactory, neither dovetailing with each other, nor possessing any self-proving test of their correctness. They are isolated forms, not connected with the relieving officer's application-book and relief-list, nor with the returns required by the Quarterly Abstract. They are useful, therefore, only according to the attention bestowed on them by the medical officer and Guardians, which varies materially in different Unions.

I have no doubt great improvements may be effected in the forms, as has been done at Bedford, but my impression is strong, that to make the various forms connected with medical relief perfect, the application-book and relief-list, for either medical relief or pecuniary relief arising from illness, should

be distinct and separate books, unconnected with the other cases of relief, but dovetailing, and supported by, the medical officers' returns.

II.—EXTRACTS FROM COLONEL A'COURT'S REPORT—COUNTIES OF
Southampton, Dorset, and Wilts.

Southampton, February 24, 1839.

1st. THE medical officers in my present district have usually been elected by tender; but occasionally, I believe, arrangements have been made with the medical gentlemen already in office to continue their appointments for another twelvemonth, upon such terms as may have been considered reasonable to the parties interested.

In the Alresford Union the per-case system is in operation, having been introduced, for the first time, purely as an experiment, at Lady-day, 1838.

The system was adopted with the view, not only of enabling the Guardians to secure payment for medical attendance from parties to whom it might be improperly afforded, but also to encourage the establishment of medical clubs. Many of the Guardians are of opinion that neither of these objects have been attained; medical clubs have not been formed; and nothing has as yet been recovered as repayment of attendance incautiously granted.

The medical gentleman complains of the arrangement as not affording him sufficient remuneration, and as placing the interests of the Guardians and that of the doctor in too direct opposition. He complains that the relieving officer is not sufficiently liberal in sanctioning new cases; and would fain arrange that no application should be refused. He would greatly prefer the certainty of a small payment by the Union to the chances of better remuneration from the independent labourer. This objection is so completely the reverse of any that has yet been adduced, that I judge it right to report it, though I can in no way admit the force of it.

After several discussions a majority of the Guardians have expressed an anxiety to continue the system for another twelvemonth, increasing the payment from 1s. 6d. to 2s. 6d. per case, and limiting the total expenditure to 80*l.* per annum. The permanent poor to be attended, as heretofore, at a fixed salary of 70*l.*; and it is determined to take the sense of the professional gentlemen upon it immediately.

2ndly. Where the tender system is adopted, the salary is not fixed by the Guardians; but they are usually guided by the amount paid in the preceding year, as are also the medical gentlemen, unless circumstances should have occurred to make it appear that the sums paid were either insufficient remuneration for the duties performed, or more than might reasonably be expected for them.

The payments per case were adopted in some of the Unions of my late district; but, from the advertisements which I have lately seen in the newspapers, I presume that it is not contemplated to renew them. So also as to payments by a pauper list; but neither of these modes of

payment have obtained in the Unions now under my inspection, except Alresford.

3rdly. As I have made it a rule never to interfere with the Guardians in their medical arrangements, unless upon special grounds, I have generally found that they have been considered satisfactory.

Dissatisfaction has very seldom been expressed as to the size of the district; but it has sometimes been stated to me that attendance on paupers in some particular parishes of districts has been inconvenient, with respect to the private practice of the professional gentlemen. This difficulty, however, cannot always be avoided; neither is it desirable that the Guardians should cast their districts altogether with reference to the private practice of individuals, which is subject to frequent alteration.

As well-qualified candidates are seldom wanting for any vacant appointment, I presume that the present salaries of the medical officers are considered reasonable: at the same time I have often heard complaints as to the smallness of them.

The qualifications of medical gentlemen are generally so well known before they are elected by the Guardians, that I do not remember ever to have had the subject brought before me in the nature of a complaint.

The system of tender is, I think, more frequently objected to by the friends of the medical gentlemen who hold appointments than by the profession generally; though, to many, I believe, it is considered offensive.

I think in almost every instance where complaints have been made of want of attention on the part of the medical officers, and such complaints are by no means of common occurrence, they have originated with individual Guardians, and have come under their observation in their visits to the poor in their own neighbourhoods.

I need not add that they have received the most prompt attention.

4thly. There is clearly no reluctance—on the contrary, there is an evident disposition—to seek for medical relief from the Unions; but I have observed nothing which induces me to think that such disposition is encouraged by the medical arrangements. It must always be borne in mind, that in the western counties, prior to the passing of the Poor Law Amendment Act, every agricultural labourer was taught to believe that he had a claim upon the parish doctor whenever sickness overtook him.

5thly. Agricultural wages are so low that the fact of sickness, more especially in the head of a family, compels the married labourers with three or four children to apply for relief. It is generally withheld from young men with one or two children, provided the application for relief be made within a few days of the appearance of illness, unless in cases of emergency or destitution. It is altogether refused if the parties seeking relief are known to be in circumstances not to require it.

6thly. All cases such as are described in your 6th question are decided according to their merits.

7thly. No medical officer would hesitate to attend the aged and infirm paupers habitually in the receipt of parish relief without an order to that effect; but it is the practice for relieving officers liberally to give such orders, for the purpose of ascertaining whether any additional relief is

required for them. This is granted upon a medical certificate, and is duly reported at the next sitting of the Board of Guardians.

8thly. I am more and more disposed to adhere to the original view which I took of this question, and to leave the medical arrangements as much as possible to the Guardians. I am, however, inclined to recommend that they should now discontinue, under ordinary circumstances, the system of tender; that they should enter into their medical contracts in such manner as may appear most advantageous to all parties, the Guardians being specially summoned for that purpose.

9thly. I have never been quite satisfied with the mode in which the register of attendance on the sick is kept by the medical gentlemen. The forms themselves I would not alter. I would adopt generally what I have partially recommended, namely, that the medical officers should distinguish, in their weekly returns, the mode in which they have attended to the sick; whether they have visited the patient in his own house?—if so, the letter V in the column for the day denotes such visit:—has he merely sent medicine to him?—the letter M indicates that fact; and if the patient calls personally upon the doctor for advice, and does not give him the trouble of a visit, this is shown by the letter C. By this simple method the actual duties and labours of the medical gentlemen are ascertained, and their salaries can be satisfactorily apportioned to them; but, above all, the Guardians see at a glance the degree of attention paid to the sick, and can at once detect any irregularity or negligence.

III.—MR. POWER'S REPORT—Lancashire and the West Riding of York.

GENTLEMEN,

Preston, March 9, 1839.

Previously to the formation of Poor Law Unions, the state of the medical relief, both in Lancashire and the West Riding of York, was very different from the state of medical relief, under the old system, in the south of England. The system of contracting, by a fixed salary, for attendance on the poor, was rare, and where existing was usually productive of a very small salary to the medical man. The more common practice was for the township to incur bills for attendance on those paupers in whose favour the overseers, or vestry, granted an order. Both practices were sometimes found existing in different townships of the same Union; but I may say that, with scarcely any exception, through the whole district, the medical relief, of which any distinct account could be found in the township books, bore an extremely small proportion to the population, and to the general expenditure on the poor.

This state of things may be attributed, in some degree, to circumstances favourably distinguishing the management of parochial affairs, in this district, from the management existing previously to the Poor Law Amendment Act in the southern counties. Amongst such circumstances are the following:—A close spirit of economy in relieving the poor on the part of the assistant overseers and vestries: a great degree of hardihood and independence in the mass of the people; the existence of numerous clubs and societies, providing against the con-

tingency of sickness, and embracing large numbers of the operative classes; and to these may be added a disposition on the part of the medical men to make moderate charge upon the township for attendance upon pauper patients, properly distinguishing between the latter and a more wealthy class of patients, and not presuming too far upon the competency of the township to supply the difference. Under these circumstances, I have usually found that the practice of paying the bills of medical men, instead of contracting with them for attendance on the poor, has been attended with the least expense to the townships in this district.

By referring to the tabular statements of the Unions formed in this district, your Board will see abundant proof of the foregoing remarks regarding the small cost of medical relief. Two of the more remarkable instances are the Chorlton-upon-Medlock and the West Derby Unions, containing each, at the time of inquiry, an estimated population of more than 60,000, in neither of which the medical expenses, distinguishable as such in the township books, exceeded 100%. per annum.

The foregoing statements must, however, be qualified by some considerations not reflecting credit on the parochial management.

In most of the large towns the dispensary system was found existing, and in no case of which I am aware does it exist to this day in connexion with the principle of self-support. This kind of charity, while it relieves the poor-rates of part of the burthen of medical relief, involves, at the same time, the mischief of introducing medical pauperism among classes of persons who ought to be wholly independent of medical relief, except in extraordinary cases.

Secondly, the small proportion which the charge of medical relief has borne to the total expenditure on the poor frequently assumes the form of an abuse, and must be imputed to maladministration of a very serious nature. The overseer or the vestry have been afraid of incurring medical bills, and in many cases of application, through sickness, the uncertain extent of the consequences of giving an order for medical attendance has led them to give casual relief in money to the applicant, leaving him to find medical assistance for himself. This has frequently resulted in protracting the disorder, and keeping the patient on the township books; but, whether so or not, the relief given to the applicant on account of sickness makes its appearance in the books in the form of shillings and sixpences, and is not entered as an item for medical relief.

It is remarkable that, on the introduction of the new system, there has scarcely ever appeared to be any difference of opinion among the Guardians as to the propriety of appointing district medical officers, at certain fixed salaries; and the propriety of doing so has appeared to me to be felt chiefly upon the ground that it would be desirable to introduce a more liberal dispensation of medical relief than existed heretofore.

That part of the Regulations' order which related to this subject was carefully framed, so as not to hasten the Guardians in their deliberations regarding the future medical arrangements, and I have invariably recommended, on the first operation of a Union, a postponement of the subject until a season of leisure. The question of change appeared to

me, in fact, full of difficulties, as I considered that the general establishment of the contract system might lead to greater expense, as well as to an undue extension of medical pauperism.

In empowering the Guardians to appoint medical officers, an attempt was made to guard against the danger which must always attend the system of fixed salary, of drawing persons, who ought to be independent in this respect, within the pale of medical relief. This will be more clearly seen from the terms of the regulation issued, which it may be convenient to give in this place at full length.

“ Medical Relief.

“22. The Guardians *may, from such period as they shall think proper,* agree with some competent person or persons duly licensed to practise as a medical man, or medical men, to be the medical officer or officers of the said Union for the ensuing year, and to attend duly and punctually upon all paupers falling sick within the limits of the Union, either in the Workhouse or otherwise, and to supply such sick paupers with all necessary medicines and appliances whatsoever; but such agreement shall not, unless it contain a special proviso to that effect, bind the medical officer to attend any persons, or the families of any persons, *who shall not at the time of making the same have been in the receipt of parochial relief;* but in case any such person shall be attended by order of the Board of Guardians, or other parties competent to give such order, the cost of such attendance shall be debited to the account of the township or place liable to the same, whether such attendance have been given by a medical officer of the Union, or by any other person.”

I will now proceed to answer the several questions in Mr. Chadwick's letter.

1. The salaries of the medical officers in this district have been sometimes settled by receiving tenders from the candidates. When my opinion has been asked by the Guardians on this subject, I have recommended salaries to be fixed and advertised, but the system of advertising the districts for tenders has been sometimes preferred by the Guardians as the most natural course, where contracts were not previously existing.

There are a few Unions still where medical officers are not yet introduced, except to attend the workhouses; and in these Unions the expenses of out-door medical relief still continue very trifling under the administration of the Guardians.

2. The mode of payment has been almost universally by a fixed salary, and the amount of this, determined as it has been partly by the tenders, and partly by the estimate which the Guardians formed of the several parties tendering, has generally not very much exceeded the former cost of medical relief. Whether the cost will continue thus moderate, under a continued system of fixed salaries, will depend much upon the judicious administration of each Board of Guardians. The effect of that part of the regulation which restrains applicants for medical relief who were not paupers at the time of making the contract is certainly felt, and the principle is acted upon in some cases, but it cannot in practice be strictly adhered to in Unions of large population where the casualties are frequent.

There are two exceptions to the system of fixed salary, namely, the Chorlton and Warrington Unions.

In the Chorlton Union the out-door medical relief is conducted by two medical officers at 5s. per case; and the total amount in this Union for one year has been 58*l.* 12*s.* 10*d.*, which, added to their salaries for attending the two Union workhouses, gives a total amount of about 120*l.* per annum.

In the Warrington Union three districts were made, and the total amount of salaries was 170*l.* This amount, by a resolution of the Guardians, was to be apportioned upon the several townships according to the number of cases belonging to each.

This arrangement has produced, in its result, much dissatisfaction on the part of the populous townships, the cases averaging 2*s.* 6*d.* each upon the salary attached to the central district, while the cases in the country districts averaged 12*s.* 6*d.* each upon the salary.

The populous townships accordingly contribute twice as much as they would if the cases of each district were separately charged upon the townships composing it; and this latter course is the more equitable one in a Union with a large and populous town for its centre; and the present medical arrangements in the Warrington Union will probably be altered accordingly. If the total salaries were charged on the established fund, in proportion to the averages of the several townships, the township of Warrington would pay 20*l.* 18*s.* per quarter; while, if each salary was charged upon the averages of the particular district, Warrington would pay only 14*l.* 18*s.* per quarter. This instance strongly illustrates the observation in p. 45 of the Fourth Annual Report as to the impropriety of charging the salaries of medical officers on the common fund of the Union.

3. No dissatisfaction has arisen, so far as I am informed, in any of the Unions, either as to the size of the districts, the remuneration of the medical officer, his qualification, the mode in which he is chosen, his attendance, or his efficiency. I have always advised against the districts being made unnecessarily large, under the impression that where a competent practitioner is to be found, who is reasonable in his demands, it is better to employ his services upon the poor around him than those of a distant competitor.

4. What is to be feared in this district, with regard to the new medical arrangements, is, that while much improvement has been effected on the side of liberality, a greater reliance upon parochial medical relief may be introduced; but there are no facts at present which justify this apprehension, and I feel a continually increasing reliance upon the judicious administration of the Guardians.

5 and 6. The Guardians will not readily make any distinction between classes of applicants for medical relief; they grant an order only when, upon due consideration of *all* the circumstances of the case, they think it necessary to do so. This relief is sometimes given by way of loan to persons who it is thought may be able, at some future time, to repay the expense.

7. It is the practice of all persons who wish to be attended at the expense of the township or Union to apply to the proper authorities for an order.

8. I do not wish at present to suggest any alterations of the medical arrangements in my district.

9. I am not aware of any improvements that are necessary in the medical registers, the forms of order for medical relief, or the forms of certificates.

I am, &c.

A. POWER.

To the Poor Law Commissioners.

IV.—Mr. GILBERT'S REPORT—Devonshire and Cornwall.

GENTLEMEN,

Plymouth, March 11th, 1839.

I beg to state, in answer to the *First Question*,

That the medical officers, at the commencement of the Unions, were generally chosen on the system of tender, after advertisement. This course was adopted from necessity. The Guardians could form no opinion as to the extent of the future duties of the medical officers, or as to the amount which would be a sufficient, and yet not exorbitant, remuneration; nor could they estimate all those other advantages which act as inducements on medical practitioners to become medical officers of an Union.

In subsequent years, when these particulars were better known to the Guardians, they have, in many cases, themselves fixed the amount of remuneration, and selected the officers, without reference to any competition as to salary. There are, however, still some appointments made on tender from the medical officer; but I am induced to think that, in these remaining instances, the practice will be given up as soon as the Guardians feel that they themselves can fix the sum.

I am of opinion that the Guardians ought not to be precluded from the power of resorting to tender where necessary: for should the Guardians and the medical officers differ as to the amount, I see no mode of settling the question so likely to lead to a fair adjustment as to put it to the medical practitioners generally, for what amount they will undertake the duties.

On the Second Head.

Different modes have been adopted, by the different Boards in my district of fixing and appointing the salaries.

Throughout Devon the more general course was to pay per case.

In Cornwall, to pay a fixed sum.

The per-case contract was at first generally made on the terms of the amount decreasing according as the number of cases increased, and with a maximum sum.

Since the formation of the Unions, the original medical arrangements have been, in several Unions, reconsidered, and in some altered. In some instances the per-case system has been given up, and a certain annual sum substituted.

And in others the mode of the first contract has been varied so as to retain a per-case payment, but regulated according to what they call the club system.

A form of contract, as adopted at St. Thomas's Union, accompanies this.

The distinctions between this per-case contract, called the club system, and that I had suggested, is, that in this there is no retrogression in the amount per case, and no maximum sum; and, consequently, a direct interest, without any check in the contract itself, is given to the medical men in the increase of pauperism, especially under the provision of the 6th clause; and I fear that both the amount paid and the good security of payment are so great, especially in the case of midwifery, as to give the medical officer of the Union a strong disinclination to encourage independent clubs. I am strongly disposed to think that, without the inverse scale and the maximum sum, a per-case mode of payment is far less desirable than the contract for a certain sum.

In some Unions the contract, as first made, has been continued.

On the Third Head.

The medical arrangements, and the superintendence of the duties of the medical officers, have occasioned the different Boards of Guardians more trouble and anxiety than any other part of their duties. With every variety of contract, and with every arrangement that has been made, some party has been more or less dissatisfied.

The size of the districts has been complained of, by medical men who were not elected, as being too large; whilst the medical officers appointed have regretted that the districts were not larger.

Proposals have been made that each parish should have its separate medical man.

And the medical man who before has had several parishes has remonstrated against interference with his practice.

As regards remuneration, the general complaint from the medical men is that it is insufficient.

Others complain of the per-case system, because it exposes to their private patients the amount for which they attend each case of pauperism.

Whilst some Guardians have expressed an opinion, that the contract giving, as they say, the medical officer an interest in making cases, tends to the increase of pauperism.

Others again complain that, under the contract for a certain sum, persons, who ought not to receive medical relief, obtain orders too easily.

In scarcely any case have I heard of complaints of the qualification of the medical officer. In one of the districts of Liskeard Union, and one in St. Germain's, objections, arising from the joint cause of the disqualification and inattention of the medical officer, have been raised; and, in the former, the Guardians themselves changed the medical officer; and, in the latter, his resignation was obtained on the intercession of the Central Board.

Objections as to the mode of choosing the medical officer have arisen chiefly on the ground of tender. It is conceived that the Guardians are too much influenced by the consideration of the amount; but I have heard no objection made to the election of that officer being placed as it is in the hands of the Guardians.

Complaints have occasionally been made against the attendance of the medical officer, but I have always found the Guardians willing to investigate such complaints, and adopt such measures as appeared necessary to remove them.

Complaints have sometimes, but not frequently, been made by the poor.

Medical men have themselves complained of the want of sufficient remuneration; but they appear all to admit that greater facilities are now afforded to them than formerly, of supplying their patients with strengthening diet.

The complaints of the Guardians seldom apply to the inefficiency or want of attention of the officer to the poor, but to the general irregularity of the medical officers in making their weekly returns and giving their certificates to the Board, and to the inconsiderate manner in which the Guardians conceive they are accustomed to give their directions for mutton, wine, and other articles for the sick.

As regards the public generally, I have reason to think it well satisfied with the medical provision for the poor; with the ability, attention, and kindness of the medical officers; the facilities afforded by the Guardians to all complaints; and, contrasting the present with the former parochial medical relief, all persons with whom I converse agree that the present is far superior.

On the Fourth Head.

I find generally, that independent clubs are in progress or on the increase; that the savings-bank deposits are increased; and I find a general striving for self-support in cases where formerly relief from the parish would solely have been looked to. This doubtless is the effect of the measure generally. I cannot, however, trace these effects to the mode in which out-door medical relief is granted, but to the probability which always exists, whatever might be the fact, that the party seeking to be maintained by relief from the poor-rate might become a resident in the workhouse. The medical relief, I should be disposed to say, was rather attractive than otherwise; and this principally through the extra advantages the pauper obtains by the orders of the medical man for mutton and other extras. The medical officers but too frequently use the power confided to them of giving these orders for the purpose of obtaining additional relief, not only to the member of the family who is sick, but to the rest of the family. To lessen the mischief likely to arise from the abuse of this power, I thought it fit, some time since, to address to several Boards in my district a letter, of which a copy accompanies this.

On the Fifth Head.

The different Unions vary in their practice: some grant relief, others grant it by way of loan, but I am not aware of any who refuse it; for, although they feel that medical relief to such men ought to be provided through the means of a club, yet in cases where there is no club, or where the man himself has not become a member, the Guardians feel the pressing urgency of sickness to be so great that it would neither be prudent nor safe to refuse relief.

On the Sixth Head.

The classes named under this head are generally treated solely with reference to their then present application, without reference to the consideration of whether they are at the time in receipt of pecuniary relief or not.

On the Seventh Head.

It is so, unless in case of urgency, when the attendance of the medical officer without an order would be sanctioned. As the list of aged paupers is more fixed and determined, I am induced to think the Guardians will be disposed to give a general order for the whole, instead of single orders for each, on application.

On the Eighth Head.

I am not disposed to think that any general rule could be issued, applicable to the whole of my Unions, prescribing the exact extent of the medical districts, the mode of payment, or of appointing medical officers.

I think these questions must, more or less, be left to the discretion and local knowledge of the several Boards, who—acting in districts very differently circumstanced as to the state of pauperism, the density of population, the facility of communication, the feeling and dispositions of the medical men, the facilities afforded by medical clubs and other institutions—must settle and arrange these particulars, with modifications suited to meet the several peculiarities.

As regards the question of a pauper-list, to be attended by the medical officer, I am disposed to think that, by such a list, comprising all the permanent and settled paupers, the Guardians would be relieved from attending to each application for medical relief, and facilities be afforded to such paupers in applying for, and the medical officer in giving, relief; and in that particular it may not be inexpedient so to modify the existing rules as to admit of the Guardians making classes of paupers, who, should in sickness receive the medical relief without in each case obtaining a special order.

I am also disposed to think that, where the settled paupers of the parish are not paid for by a sum per case, no special charge should be made for a non-settled pauper, but in all respects such pauper should be treated as if he were a settled pauper.

On the Ninth Head.

In cases of paupers applying for relief in sickness, Boards require, in addition to form H, a certificate from the medical officer; and it appears to me that the following combines, with brevity, all the information the Guardians usually will require.

UNION MEDICAL CERTIFICATE.

Name of Pauper and Wife (if any), with Children under 16.	Ages.	Residence: No. of House, and Name of Street.	Parish.	Cause of requiring Certificate.	Probable Duration of Sickness.	Observations.

(Signed) _____, *Medical Officer.*
 _____ day of _____, 184 .

The surgeon at the Workhouse, I am disposed to think, should be required to keep an order-book at the Workhouse, in which should be entered the name of each sick pauper, with a number prefixed, and the medical officer's orders as to treatment, diet, and medicine.

The medicine should be properly labelled, with the number and name of the patient, and description as to the times and quantities the medicine should be given; and over the head of the bed of each patient should be a label corresponding with the entry in the order-book.

The Guardians should be required to appoint a nurse or nurses, whose qualification should be that they could read and write.

I have, &c.
 W. J. GILBERT,
Assist. Poor Law Commissioner.

To the Poor Law Commissioners.

MEMORANDUM OF AGREEMENT made between the Guardians of the St. Thomas's Union, in the county of Devon, of the one part, and _____, Surgeon, _____ of the other part, for the Medical Care of the paupers, within the parishes of _____, for one year next ensuing, upon the following conditions: viz.—

1. That the club system be adopted.
2. That the payments for paupers registered within the year be on the following scale: viz.—

For single persons, including orphans, widowers, and widows 3s.
 For married persons (man and wife) 4s.
 For children under 16, dependent on their parents, and not in service 1s. each.

3. All registered paupers and their families to be entered at the commencement of the year.

4. All new paupers and their families to be entered as they become chargeable.

5. If they become chargeable within the first six months, to be paid for, for the whole year; if after, for six months only.

6. That inasmuch as the Board of Guardians have consented to allow medical relief to all paupers in the receipt of other relief, such paupers be attended without an order; and the relieving officers furnish lists of such paupers to the medical officers at the commencement of the year, and subsequently, as they are entered on the Relief-Lists.

7. That all applicants not in the actual receipt of relief be required to obtain an order from the relieving-officer, the overseers, or church-wardens; the medical officer returning such order to the relieving-officer the first pay-day after its issue, together with his report of medical relief afforded under exigency without an order, for the rejection or confirmation of the Board.

8. That no order be allowed in the medical officer's bills without the signature of the chairman of the next Board-day after its issue.

9. That the fee to be paid in surgical cases of midwifery be 1*l*.

10. The medical officer in whose parish the pauper resides when first placed on the register to receive the subscription for the year; but, on change of residence, the medical officer of the parish in which the pauper resides to attend without charge.

11. Paupers resident in Exeter to be attended by the medical officers of St. Thomas and Heavitree.

12. The medical officer to afford all necessary medical and surgical aid, including vaccination, and supply all medicines, and medical and surgical appliances, to all paupers subscribed for by the Guardians, trustees excepted, which in all practicable cases will be provided under contract by the Guardians.

13. The medical officers to keep all the books and forms, ordered by the rules and regulations of the Poor Law Commissioners, duly entered up, that they may be ready for the inspection of the Commissioners or the Guardians at any time when called for; and also to make such returns relative to medical relief as the Poor Law Commissioners or Guardians may require, during the continuance of this contract.

14. The payments to be annual.

15. That one month's notice, on either side, be given of intention to determine the contract.

SIR,

St. Thomas's Union, Sept. , 1838.

On the other half-sheet is the Contract for Medical Attendance on the Poor within your district for the year ending Midsummer, 1839, which you will please sign and return as soon as possible.

The duplicate herewith sent you are to keep.

Your attention is particularly requested to the 8th clause, as it will be the means of saving considerable time and trouble in making up the year's accounts.

I am, Sir, your obedient servant,

JOS. G. BIDWILL, *Clerk.*

EXTRACT of a LETTER from W. J. GILBERT, Esq., Assistant Poor Law Commissioner, addressed to the Clerks of several Boards of Guardians, respecting Orders for Relief given by Medical Officers.

“I would beg leave to observe that several Boards have experienced great inconvenience and expense from the circumstance of the relieving-officers’ acting upon the understanding that relief ordered by the medical officer for sick paupers is necessarily to be given in addition to that granted by the Board. It would be well to correct this error, and instruct the relieving-officers that, although such relief should be granted, it is in their discretion, until the next Board-day, to determine whether it shall be wholly or partly in addition to, or in substitution of, the relief granted by the Board: so that, whilst the relief ordered by the medical officer is secured to the patient, the decision of the Board as to the quantity is not superseded by his order.

“At the next meeting of the Board of Guardians the relieving-officer should report as in cases of urgent necessity; and the Guardians then make such an order as, upon due consideration of the medical officer’s report, and a full inquiry into all the circumstances of the case, they may deem proper.”

V.—MR. HALL’S REPORT—Lincoln, Notts, &c.

GENTLEMEN,

Spittal, 13th March, 1839.

1. The medical officers were generally, at first, appointed upon the system of tender; in some instances, upon the expiration of their first engagements, they have been re-appointed without repeated tender, their salaries either remaining the same, or being adjusted upon a mutual agreement between them and the Guardians; in other instances, the system of tender has been acted upon at successive appointments. In some cases the Guardians have fixed the salaries, and requested offers from such medical gentlemen as were willing to take the office for the remuneration attached to it: in others, they have left the salary to be named by the parties tendering their services. It appears that, in all my district, at some period or other, the system of tender has been adopted; but, as far as I have been able to ascertain the course pursued at the elections now in progress, there is at this time a disposition to enter into an arrangement with the medical gentlemen who have hitherto held office, without requiring them to enter again into competition with the other members of the profession.

2. By a fixed salary in every Union.

3. Dissatisfaction has been occasionally, but very rarely, expressed with reference to insulated cases, or by particular persons; but no such general expression of dissatisfaction has anywhere arisen as to cause the necessity, on the part of a Board of Guardians, of remodelling their arrangements: they have done so from time to time in some Unions as circumstances compelled, or as the prospect of a more convenient arrangement induced them, but never, so far as I know, on account of a general expression of dissatisfaction.

4. No.

5. Where the family is large and young, medical relief is granted.

If the family were not numerous, it would be refused in the first instance, and perhaps afterwards, if the illness became protracted, allowed. In such instances it is sometimes given by way of loan.

6. They would have medical relief upon application.

7. Yes, unless it be a case of emergency; but there is no prescribed form of order: in many Unions it is given sometimes in writing, sometimes verbally.

8. I do not consider any general alteration of the medical arrangements in my district is desirable. I think an amendment might, in some Unions, be effected by diminishing the size of the districts; but this must be governed by local circumstances, and is not capable of precise regulation. It is not, I conceive, possible to define the class of persons which is exclusively entitled to medical relief; and all the schemes that I have seen contrived to meet this difficulty are more objectionable, in my opinion, from their complexity, than the existing arrangements from their failure, on the ground of this uncertainty. It would, I believe, be an improvement if the salaries of the medical officers were paid by those parishes which during the quarter have had paupers under medical treatment, according to the respective number of such cases, and not, as now, according to their respective averages; and I would not have recourse to tender, so far as respects the amount of salary, except where a satisfactory engagement cannot be formed by mutual agreement.

9. I consider the forms now in use in the Windsor and Newbury Unions (in the district which I lately superintended) to be a great improvement upon those originally prescribed. I should be glad if they were universally adopted,

It would be better if the medical officers were to "*recommend*," instead of "*order*," wine and other necessaries for their out-door patients. A slight verbal alteration, to this effect, of the head of one of the columns in the form of their Weekly Returns would tend to regulate a practice which is fast growing into an abuse.

VI.—EXTRACTS from Mr. WEALE'S REPORT—Parts of Beds, Bucks, Herts, Northampton, and Warwick.

9th March, 1839.

"I addressed to the several Clerks of Unions in my district a circular, in which I proposed the several questions contained in your communication of the 21st ultimo, and I now annex their respective answers.

* * * * *

"In reply to your 5th query, I have to observe that it is highly desirable that the system for providing medical relief should be uniform, and I would take the liberty of adding that the plan adopted in the Bedford Union appears to me to be the best; but I much fear that the Guardians of the manufacturing Unions will not be pleased with such arrangement.

Returns annexed of Replies to foregoing Queries.

AMPHILL UNION.

I. The system of election has been adopted.

II. By a fixed salary.

III. No dissatisfaction on any of these points has hitherto been expressed. The Union is divided into three districts, and each district under separate contracts. In the larger one (Amphill) there are two medical officers, who divide the duties according to their own convenience.

IV. I am not aware of any facts showing such a tendency, nor do I think any have occurred.

V. Medical relief is refused to the families of able-bodied men in the receipt of the ordinary wages of the district, though in some extreme cases it has been afforded.

VI. Medical relief is not refused to persons not being able-bodied, although they are not in the receipt of other out-door relief.

VII. It is the practice in this Union for aged and infirm persons, or others, in the regular receipt of out-door relief, to apply for an order for medical relief before the medical officer attends them.

BEDFORD UNION.

I. The medical officers are elected annually by the Board without any public notification. The system of tender was adopted only in the first instance, on the formation of the Union.

II. A fixed salary of 50*l.* per annum is given to the medical officer of the Union Workhouse, and 10*s.* 6*d.* per case for midwifery. The salaries to the district medical officers are apportioned by a pauper-list made out yearly, and 5*s.* per case for those persons who are not in the pauper-list, and for whom an order may have been given as a case of "sudden and urgent necessity."

III. No dissatisfaction has been expressed to the Board as to the size of the district, the remuneration or qualification of the medical officer, nor as to the mode of election. No dissatisfaction has ever been expressed as to the attendance or efficiency of the medical officers, either by the poor, the medical officer, the Guardians, or the public.

IV. I think the medical arrangements have *discouraged* a disposition to seek medical relief from the Union, by the fact of so many medical clubs having been formed, and from the comparatively small number of applications for extra cases.

V. Most of them are in medical clubs or benefit clubs, where medical attendance is afforded to the members and their families.

VI. All the permanent paupers are placed on the pauper-list; the class of persons named in Question 6 either apply, through the relieving officer, to the Board to be placed on the list, or an order is given for the medical man to attend them as an extra case.

VII. This class of persons are always placed on the pauper-list, consequently there is no necessity for them to apply for a medical order.

LEIGHTON BUZZARD UNION.

I. & II. The system of tender is not adopted in this Union. The Board of Guardians fixed the salary at 200*l.* per annum, including

drugs and medicine, and advertised for a duly qualified practitioner to attend to the whole Union at that sum. The salary, however, afterwards proved to be inadequate, and the Board, with the sanction of the Commissioners, increased it to 230*l.* per annum. The time of the medical officer is devoted exclusively to the business of the Union, and he is not allowed private practice.

III. No dissatisfaction has arisen on any of these points to the knowledge of the Board or any of the officers of the Union.

IV. No.

V. The medical officer is bound by his contract to attend on all persons resident within the Union on receiving an order to that effect from some person authorised to give such order by the rules and regulations of the Poor Law Commissioners, with power to appeal to the Board at the next meeting after the receipt of the order, in case, in his opinion, it is not a proper case for him to attend; and the Board's decision thereon, as to his future attendance, is final. The Board would not sanction the medical officer's attendance (except under special circumstance), unless the family consisted of more than three children under ten years of age.

VI. The medical officer would, in the first instance, attend to the case on receipt of an order, but his future attendance would be regulated by the Board.

VII. Yes.

LUTON UNION.

I. The Union is divided into three districts, for each of which a fixed salary is apportioned by the Board: all the medical gentlemen in the Union are invited annually, by letter, to offer themselves as candidates for any or either of the districts, at such salaries; and they are selected from such as may choose to offer themselves.

II. By a fixed salary, which has been apportioned after a year's trial of payments at per case.

III.—1. None.

2. But little.

3, 4, 5. None.

IV. I am not aware of any.

V. It is granted in such cases only as the Board consider absolutely to require it.

VI. To grant it when necessary.

VII. Yes; but in all cases of emergency the medical officer is expressly bound to attend such paupers without the formality of an order.

WOBURN UNION.

I. They were selected in the first instance (that is, in 1835) by tender since which (1836) they have been invited from year to year to continue their services.

II. By a fixed salary debited to the establishment.

III. None.

IV. No.

V. If the family is numerous and young, and the earnings small (say 12*s.* a-week), medical relief is invariably given.

VI. Medical relief is, with very few exceptions, given.

VII. Yes.

NEWPORT PAGNELL UNION.

I. The medical officers are selected from candidates who offer themselves for the office.

II. The number of paupers in each parish was ascertained, and a scale of remuneration fixed; viz., 5s. for a man and his wife, 3s. for a single person above 16, and 6d. for children, and advertisements issued for candidates upon the aggregate amount. Midwifery cases 10s. each.

III. The medical officers have complained of the inadequacy of the remuneration, but no other complaints have been made.

IV. No.

V. The Board of Guardians have been very cautious in granting medical relief to any family in the receipt of wages.

VI. They come under the terms of the medical officer as above stated.

VII. They apply to the relieving officer, and he gives an order to the medical officer.

BERKHAMPSTEAD UNION.

I. The system of election has invariably been adopted.

II. See answer to Question I. By a fixed salary for general attendance, and a fixed sum for each midwifery case.

III. I am not aware of any.

IV. No.

V. Medical relief is generally allowed upon application, where the families are large.

VI. Allowed.

VII. Yes.

HEMEL HEMPSTEAD UNION.

I. The system of tender was adopted until the present year. Now the Guardians fix a salary and select their officers.

II. By a fixed salary for general attendance, and a fixed sum for each midwifery case.

III. I am not aware of any.

IV. No.

V. Medical relief is generally allowed if they have large families.

VI. Allowed.

VII. Yes.

ST. ALBANS UNION.

I. By election.

II. By salary (fixed), and a payment in addition for each midwifery case.

III. No dissatisfaction now exists on the above points.

IV. There is no peculiarity in the medical arrangements in this Union having such a tendency.

V. To give such relief where there are several young children, or other similar cause.

VI. Usually to afford it.

VII. Yes, except in cases of emergency.

BRIXWORTH UNION.

I. By advertisement in the county papers, and the system of tender has hitherto been adopted.

II. By payment per case.

III.—1. None lately.

2. Yes; on the part of the medical officer.

3, 4, 5. No.

IV. No.

V. The Board of Guardians, or their relieving officer, is guided by circumstances.

VI. The same answer as to Question V. must be given.

VII. Yes.

DAVENTRY UNION.

I. The medical officers are chosen by tender.

II. The medical officers are allowed, in addition to the amount of their tenders, 10s. 6d. for each case of midwifery, and 5s. for attendance upon each pauper in the district, not belonging to any parish in the Union, who may fall sick, and whom the parish officers are bound to relieve until removal.

III. No; the Board are perfectly satisfied with the attendance and efficiency of the medical officers.

IV. In some measure.

V. In case they have very large families the Board has occasionally afforded medical relief.

VI. On application, medical relief is afforded to persons of this description.

VII. There has been no hesitation in persons of this description making the application to the medical officer.

HARDINGSTONE UNION.

I. Advertisements have usually been inserted in the public papers for medical gentlemen to offer themselves as candidates to attend certain districts at certain salaries.

II. As near as could be ascertained from the pauper population in the several districts.

III. No dissatisfaction has ever appeared before the Board of Guardians: no complaint has been made to the Board, either on the part of the poor, the medical officers, the Guardians, or the public. The medical officers have stated, but not to the Board of Guardians by way of complaint, that their salaries are not sufficient.

IV. No.

V. Generally a loan-ticket has been granted on application.

VI. The medical officers sometimes attend and make returns to the Board of parties not receiving relief, but no charge is made to the Board on this account.

VII. Yes; the parties generally apply to the relieving officer for an order; but, where parties have formerly been patients, the surgeon attends them as a matter of course.

NORTHAMPTON UNION.

I. & II. At the commencement of the Union the Guardians procured a return from the parish officers of the amount paid to medical gentlemen for pauper cases for the three years preceding Lady-day, 1835; they then struck the average, and advertised for candidates at salaries something under the average amounts paid, and appointed the

three gentlemen they thought most eligible. Two of them have been offered the appointments and annually re-elected; but, one of them having left the Union, another was appointed at Lady-day, 1838, to succeed him at the same salary.

III.—1. No.

2. They have all this day, on the offer of the appointments for the ensuing year being made to them, accepted the offer upon the previous terms, but two of them have applied for an increase of salary.

3, 4, 5. No.

IV. No.

V. When an application for medical relief is made, the relieving officer, after inquiring into the circumstances, &c., of the applicant, gives an order or not, according to his discretion, but it is never treated as a loan.

VI. The same as the preceding.

VII. Yes.

POTTERSPURY UNION.

I. They are elected.

II. By a fixed salary for all paupers belonging to the district and residing therein; and per case for paupers not belonging to the Union.

III. There has not been any dissatisfaction expressed on any of the points enumerated, either by the poor, medical officer, Guardians, or public generally.

IV. I have not observed any such facts as are alluded to.

V., VI., & VII. No persons have medical relief without a ticket from the relieving officer, or other competent authority.

TOWCESTER UNION.

I. The system of election has been adopted.

II. By a fixed salary; no extras whatever.

III. I believe the medical officers have sometimes complained that they are not adequately remunerated, and rate-payers have occasionally complained of inattention on the part of the medical men; but these latter complaints have been seldom substantiated. I am not aware of any other ground of complaint.

IV. None.

V. The relieving officer lays before the Board weekly a list of all medical orders he has given during the week, and the Board approves or orders to be discontinued (and in some cases the value, or part of it, to be repaid), as the circumstances seem to require.

VI. The last answer applies to this question also. In both, the relieving officer would, in a case of doubt, give a loan-ticket, and on the following Tuesday the Board would consider the case.

VII. This is the practice, I think I may almost say, invariably.

WELLINGBOROUGH UNION.

I. They are selected from candidates who offer themselves for the office.

II. By a fixed salary.

III.—1. Not since the last arrangement, which was in March, 1838.

2. I have heard of no dissatisfaction on this head, though I have heard the medical officers say they thought the remuneration small.

3, 4, & 5. None.

IV. I have not observed any.

V. It is in such cases given on loan if required; which is, however, but seldom the case, such persons being for the most part in some medical club.

VI. Such cases are brought before the Board, who generally grant the relief, unless it is a case which requires immediate attention, when the relieving officers grant it, and get it confirmed by the Board.

VII. It is the practice to do so, though in some cases, where the medical officer knows the parties to be regularly on the relief-list, he attends them without an order.

PENKRIDGE UNION.

I. Medical officers have been selected from the resident practitioners within the Union by election, after a public advertisement stating the salary fixed for each district.

II. The salaries are fixed, and were estimated by a scale corresponding with the whole population of each district.

III. No dissatisfaction has arisen that I am aware of, from any quarter, on any subject.

IV. There is nothing in our medical arrangements to encourage a disposition to seek relief (of any nature). The Guardians are, I think, more jealously watchful on the subject of medical relief than on any other.

V. Being thus watchful, the Guardians examine carefully before they would permit the medical officers to attend the families of men who are in regular employment. We have no "practice" on the subject, for I do not remember more than two or three such applications being made, and I believe they were (with one exception) refused.

VI. We have, I think, not more than *one* case on the books where medical relief is given without other relief. The answer to query 6 may therefore be referred to the foregoing remarks.

VII. The medical officers, being now well acquainted with the paupers of their district, are generally in the habit of attending upon those who are on the relieving officer's book, without deeming a previous application to the Board necessary, unless any suspicious circumstances call for their observation.

SEISDON UNION.

I. They were selected, by the Board first fixing salaries for certain districts, and then advertising for medical officers to take certain districts at the specified salaries.

II. By a fixed salary.

III. No.

IV. Certainly not.

V. The overseer, or person competent to give an order, inquires into the state of the party applying for a certificate; and, in case the labourer has a very large family, and his earnings are thought such as not to allow him to pay a surgeon, then the order is given.

VI. To give them certificates when they require them.

VII. Yes; except in an extreme case of illness.

STAFFORD UNION.

I. By election, after application from medical practitioners; the duties, district, and salary being notified by advertisement.

II. By a fixed salary, and in addition midwifery per case.

III. No complaint has been made officially to the Board of Guardians. The medical officers have stated that the salary is inadequate to the duties they are required to perform.

IV. The labouring classes generally have a disposition to seek medical relief from a supposition that no extra expense is incurred: the medical officers having a fixed salary.

V. Upon application being made, either to the relieving officers or parish officers, the applicant receives an order for medical relief, upon loan (payment of the cost incurred has, in a very few instances, been enforced).

VI. Upon application being made, an order for medical relief, by way of loan, or a pauper medical-ticket is given, according to the circumstances of the applicant and his family.

VII. Generally; but on visiting patients in the district, if the medical officer is informed of a poor person being sick, he attends him immediately, and requires an order for medical relief to be procured on his next visit.

WALSALL UNION.

I. The system of tender has not been adopted. The appointments have been made after advertising for candidates (fixing salary) by the Board of Guardians.

II. The districts were formed and the salaries fixed by Mr. Earle, assistant-commissioner, at least upon his advice and assistance; and he regulated the salaries by adding to all the former salaries of parish surgeons the extra charge made upon all suspended orders, thereby recognising one of the abuses under the old laws, and affording the greater and more certain remuneration to the new officers than the old.

III. 1. No.

2. There is a little grumbling with one,—he who receives the greatest sum for his labours, and who would do so if he had more given.

3. We have three, all of them apothecaries and surgeons also.

4. By ballot in the board-room, and no complaint.

5. They all perform their duties well; one of the officers a year ago was complained of as neglecting a sick pauper, but, conceiving he had done his duty, refused to submit to reproof from the Board, and resigned his appointment. He told me afterwards that the discontent and ingratitude of the poor was the principal cause of his resignation.

IV. Yes; a man who thinks himself not able to pay a surgeon applies to the relieving officer for a note for medical relief; and the medical officer, finding such person able to pay moderate charges for attendance, commences a sort of cross-firing with notes for kitchen-physic; and the man and his family are thereby made paupers, never forgetting how cheap and easy these good things are. No distinction

is made whether he be in or out of employment, able or unable to work, so he appears to be poor; and no matter as to his prudent habits, or rather as to his want of them.

There are some prudent deserving persons, who are members of friendly societies, that receive visits from the club-surgeon, although constantly receiving out-door relief; and if these persons were attended by the medical officer, additional nourishment would be given by the mode above described, and therefore, for want of encouragement to dispensaries, self-supporting dispensaries, and medical clubs, the present system works quick in pauperising our population of the lower orders, counteracting our other useful efforts intended to make them less dependent on parishes; and I fervently hope this will attract your notice, and that of the Poor Law Commissioners.

WEST BROMWICH UNION.

I. The system of election is adopted.

II. The medical officers are paid by a fixed salary.

III. No dissatisfaction has arisen as to the size of the districts; some of the medical officers complained of the remuneration for services; the Guardians attended to the complaints, made an advance to what had primarily been received, and represented the same to the Poor Law Commissioners, who sanctioned such increase of salary. I know of no dissatisfaction as to qualification, to the manner in which they are chosen, or to their attendance or efficiency.

IV. I have not observed any facts whereby a disposition to seek relief has been encouraged by the medical arrangements.

V. As far as I am capable of judging, such families requiring relief pay for medical relief from their own resources.

VI. In some instances, upon application to the relieving or other officers of the Union, the medical officer of the district is requested to attend such persons.

VII. I apprehend the general practice respecting the last-mentioned persons is to apply for an order for medical relief before the medical officer of the district attends them.

WOLVERHAMPTON UNION.

I. Upon applications, in compliance with public advertisement.

II. The first year tenders were solicited, and the medical gentlemen named a particular sum per annum for the districts, as described. The following year a sum was stated in the advertisement for candidates, at which various applications were received; and this latter plan is the one adopted by the Board, in reference to advertisements appearing this week requesting applications for consideration on the 5th of March.

III. On none, save that of remuneration of the medical officers, the present medical officers having presented a memorial soliciting payment by the case, which request the Board of Guardians have not seen fit to accede to.

IV. No facts have been observed tending to show that medical relief (or relief generally) has been encouraged by the medical arrangements.

V. The applicant is requested to obtain a certificate from his employer, showing the earnings of the family, or their inability to provide medical attendance.

VI. Medical attendance is generally provided to this class, upon the merits of each particular case, by the relieving officer.

VII. Yes: neither are they attended without an order from the relieving officer.

ASTON UNION.

I. The Guardians annually advertise for medical officers. The amount of salary allowed for each district is stated in the advertisement. The system of tender has never been adopted. The applicants are numerous on each occasion.

II. By a fixed salary, with an additional allowance for cases of midwifery and vaccination.

III. There has not been any formal complaint; but one of the medical officers stated to me last week that there was too much work for the money.

IV. From some cause there appears too great a disposition to seek parochial medical relief.

V. They easily obtain such relief.

VI. It is given freely.

VII. It is.

ATHERSTONE UNION.

I. The salary was fixed at the commencement of the Union, and the medical officer was appointed by the Board, after the situation had been properly advertised.

II. By a fixed salary.

III. None.

IV. I know of no particular facts, save only that every arrangement is made for the relief of the paupers in the Union.

V. It entirely depends upon the number of children in such family.

VI. When such cases occur the medical officer attends them.

VII. In every case of sickness an order is given by the relieving officer.

FOLESHILL UNION.

I. The Guardians advertised for medical officers by tender, which was adopted.

II. By payment per case, pursuant to the advertisement.

III. No.

IV. No.

V. The same as the other paupers, if they stand in need of it and cannot provide it themselves.

VI. The same as other paupers in the above case.

VII. Yes.

MERIDEN UNION.

I. By election after advertisement.

II. By a fixed salary, the medical officer undertaking to attend upon all paupers falling in with the Union, whether belonging to it or not.

III. No.

IV. No.

V. The Board take into consideration the amount of debt likely to be incurred by sickness, and, if it appears the applicant has no prospect of freeing himself from such debt by industry, the Board allow a gratui-

tous note to the medical officer: on the contrary, they give it by way of loan.

VI. They are allowed gratuitous medical relief.

VII. It is; but the medical officers never refuse to attend without a note if they are aware the applicant is a pauper.

NUNEATON UNION.

I. The medical officers are chosen by tender.

II. By the amount they tender, which is fixed for the year. To include medicine and all other necessary appliances, save trusses.

III. 1, 2, 3, and 4. None.

5. Some complaints on the part of the poor have been made for inattention. Some complaints, likewise, on the part of the Guardians.

IV. No.

V. Very limited, and generally given by reason of the sick person being unable to attend to or work for the rest of the family, as before the application.

VI. To give what is directed by the medical man in kind.

VII. It is.

RUGBY UNION.

I. At the commencement of the Union they were selected by tender; they have continued in office ever since.

II. By a fixed salary, and 10s. 6d. for each case of midwifery.

III.—1. Yes; on the part of the poor who reside in the parishes at the greatest distance from the residence of the medical officer.

2, 3, and 4. No.

5. A few instances have occurred on the part of the poor, and in two instances on the part of some of the Guardians.

IV. No.

V. We have but few applicants of this class, and those chiefly in cases of midwifery, when it is generally given by way of loan; in the remaining cases relief is given when the earnings appear small compared with the size of the family.

VI. No regular practice has been established; the ability of the applicant to subscribe to a medical club is always taken into consideration.

VII. Yes.

SOLIHULL UNION.

I. The system of tender was adopted at the commencement of the Union, and the medical officers have retained their appointments since then, contracting from year to year.

II. By a payment per case of 6d. each, except midwifery and vaccination; midwifery 10s. 6d., and vaccination 2s. 6d.

III. No dissatisfaction has arisen on any of these points.

IV. I have observed no facts of the kind.

V. To give them medical loan-tickets.

VI. In the first place to give them medical loan-tickets; and if it is afterwards found that they are unable to repay the same, upon their application to the Board of Guardians, it is remitted.

VII. It is the practice for them to apply to the relieving officer, and in urgent cases to the overseers, and they receive a medical pauper ticket.

SOUTHAM UNION.

I. The salary was in the first instance fixed by the Guardians, and then the officers were advertised for.

II. By a fixed salary.

III. None.

IV. It has been the practice in several of the parishes in this Union for clergymen, Guardians, as well as overseers, to give orders for medical attendance, in many instances very improperly. This has had the effect of encouraging improper applications for medical relief, and occasionally for other relief.

V. There is a disposition on the part of many persons having some influence in the parishes, but who do not sufficiently understand the Poor Law, to encourage men employed at the ordinary rate of wages to claim medical relief for their families. This has occasioned frequent discussions in the Board, and the relief has sometimes been granted.

VI. Persons not being able-bodied, and not earning full wages, have generally got medical relief.

VII. The medical officer is in the habit, by his own choice, of making regular visits to villages, and attending all those who are distinctly entitled to medical relief, without any application being necessary, except to the medical officer himself. The bulk of the business is done in this way, with much mutual comfort to the poor and to the officer. When express journeys are wanted, an order is sometimes got, but more generally the paupers have confidence that the officer will attend on their own application.

WARWICK UNION.

I. They are appointed after public advertisement, at salaries fixed by the Guardians.

II. At a salary fixed by the Guardians for each district, and 10s. 6d. for each midwifery case: the salary being apportioned according to the extent and population of the districts.

III. I am not aware of any dissatisfaction having been manifested upon any of these points.

IV. There have not been any instances of representations from the medical officers complaining of improper cases having been sent to them.

V. Medical relief is refused in these cases, except only where, being large families, or illness prevails, the earnings of the man are insufficient to defray the expense of medical assistance, and orders are given in such cases.

VI. Medical assistance is refused, except in extreme cases.

VII. Yes.

BROMSGROVE UNION.

I. The medical officers were selected from the candidates who applied for the appointment, after public notice (stating salary and duties) had been inserted in the newspapers. The system of tender has never been adopted by this Union.

II. The medical officers are remunerated by a fixed salary; in addition to which 10s. is allowed them for every case of midwifery they are called upon to attend.

III. No dissatisfaction has (to my knowledge) ever arisen on either of the points numbered 1, 3, and 5. With respect to the 3rd, the remuneration originally fixed to be given to the medical officer of the Bromsgrove district was not considered by the Board of Guardians adequate to the duties he had to perform, consequently the same was increased from 70*l.* to 90*l.* for the present year. In answer to the fourth question, the medical officers were displeased at the course which the Board of Guardians, at the commencement of the parochial year, adopted of re-electing them for the current year, alleging that, as their first appointment was a general one, they considered themselves entitled to hold office during good behaviour, and so long as they continued to give general satisfaction.

IV. I have observed none.

V. That depends upon the number and ages of their children, and whether medical aid for their wives or children. In most instances it is allowed for the wives of men having large families, and very frequently for their children.

VI. Medical relief is usually allowed to them.

VII. In general it is the practice.

DUDLEY UNION.

I. They are selected by the Guardians: the system of tender has not been adopted.

II. By a fixed salary, exclusive of midwifery cases.

III. None whatever on any of the points.

IV. I have seen nothing that leads me to suppose that the medical arrangements encourage a disposition to seek relief in any way.

V. It is not the practice for the medical officers to attend the families of men described above; but, if requested to do so by an authorised person, he would not object.

VI. It is not the practice for the medical officers to attend persons who are not in the receipt of out-door relief, but they never object if requested so to do.

VII. It is the practice in the first instance to apply for an order, otherwise the medical officer would not know who were, or who were not, paupers.

KIDDERMINSTER UNION.

I. By advertisement in the public newspapers; the system of tender has not been adopted.

II. By a fixed salary, with an addition of 10*s.* for each case of midwifery.

III.—1. An alteration was made in two of the districts, in March, 1838, by the Guardians, not in consequence of any dissatisfaction, but for the purpose of affording greater facilities to the poor of two adjoining districts in applying to the respective medical officers.

2. Only from the medical officer of the Kidderminster Union.

3 and 4. None.

5. In one case only, on the part of a pauper.

IV. Yes; I think the attention paid to the poor by the medical officers of the Union does encourage paupers to seek medical relief.

V. Medical relief is not given in such cases, except under particular and special circumstances.

VI. Medical relief is afforded to them.

VII. Frequently; but in many cases they apply to the medical officer in the first instance, who gives the medicine, and subsequently requests the relieving officer to sanction it.

KING'S NORTON UNION.

I. Upon the formation of the Union the Board of Guardians advertised for tenders from medical gentlemen desirous of the appointment, stating at what rate per case, including medicine, &c., they would afford their services to the sick poor, the attendance, &c., in each to be continued for six weeks, if necessary. The Board still continues to advertise each year for medical officers, and the Board appoints on a day fixed in the advertisement.

II. For the first year after the formation of the Union, the medical officers were paid by a payment per case. They are now paid by a fixed salary.

III.—1. No.

2. In the first year general dissatisfaction existed; but since the medical officers have received fixed salaries no formal complaint has been made, except by the gentleman who attends the district including the workhouse.

IV. Not to any extent, although a few cases have occurred where it is believed individuals have obtained medical tickets, in order, as they conceived, to entitle them to more general relief.

V. To give relief or not, according to the emergency of the case, arising from the number and ages of the children of such families.

VI. To hear the report of the relieving officer, and direct medical relief, or otherwise, according to the circumstances of the applicant.

VII. It is the practice for all persons requiring medical relief to apply for medical tickets; and the medical officers are required by the Board not to afford relief without such tickets, except in cases of emergency.

STOURBRIDGE UNION.

I. The system of tender has not been adopted; the Board of Guardians, with the approbation of the Assistant Poor Law Commissioners, appoint the medical officers.

II. By a fixed salary, and a fee of 10s. in every midwifery case.

III. No.

IV. Yes.

V. Medical relief is afforded when applied for.

VI. Medical relief is afforded when applied for, and such other relief in kind as the medical officer orders.

VII. It is.

SUMMARY.

Unions in which the system of *Tender* for Medical Relief is practised :—

Daventry, Foleshill, and Nuneaton 3

Unions in which Medical Officers are elected at *fixed salaries* :—

Amphill, Leighton Buzzard, Luton, Woburn, Berkhamstead, Hemel Hempstead, St. Albans, Hardingstone, Northampton, Potterspury, Towcester, Wellingborough, Penkridge, Seisdon, Stafford, Walsall, West Bromwich, Wolverhampton, Aston, Atherstone, Meriden, Rugby, Southam, Warwick, Bromsgrove, Dudley, Kidderminster, King's Norton, and Stourbridge 29

Unions in which the Medical Officers are paid by the *per case* system :—

Bedford, Newport Pagnell, Brixworth, and Solihull 4

Union from which no return has been made to Mr. Weale :—

Watford 1

Total 37

VII.—REPORT from Mr. TUFNELL—Kent and Sussex.

GENTLEMEN,

Sheerness, 24th June, 1839.

I SEND you a Table containing answers from all the Unions under my superintendence to the queries on medical arrangements in Unions comprised in your circular letter of the 21st February.

I send you an additional form (p. 198) used in the Dartford Union, which is made up weekly, which is the only improvement in the mode of register of sickness in the workhouse with which I am acquainted.

I have, &c.

E. CARLETON TUFNELL.

To the Poor Law Commissioners.

TABLE respecting the MEDICAL ARRANGEMENTS

COUNTY.	UNION.	Have the Medical Officers been selected,—1st, by that description of tender in which the person tendering names the remuneration? 2ndly, by that description of tender in which an offer of services is alone made, the salary having been previously fixed by the Guardians? or, 3rdly, by a private arrangement between the Guardians and medical men?	Are the Medical Officers paid, 1st, by a fixed salary? or, 2ndly, by a payment per case? or, 3rdly, how otherwise?	Has any dissatisfaction arisen as to the Medical Arrangements?
KENT .	1. ASHFORD, EAST .	When the Union was formed, by the first method. The contract entered into then has since been renewed from year to year, by mutual consent.	By a fixed salary, midwifery cases being paid for extra.	Yes; on the part of the medical officers as to their remuneration.
KENT .	2. ASHFORD, WEST	By the 1st method.	By a fixed salary, midwifery extra.	No.
KENT .	3. AYLESFORD, NORTH	By the 2nd method.	By a fixed salary, midwifery extra.	No.
KENT .	4. BLEAN . . .	By the 2nd method.	Fixed salary, midwifery extra.	No.
KENT .	5. BRIDGE . . .	By the 2nd method.	Salary for attendance at Workhouse. Out-relief cases at per case.	Yes; on the part of medical officer as to his remuneration.
KENT .	6. BROMLEY . .	By the 3rd method. A number of candidates solicited the appointment.	Salary. Vaccination extra.	No; but an application has been made by the medical officer for an increase of remuneration, which is now (April 1839) under the consideration of the Board.
KENT .	7. CRANBROOK . .	By the 2nd method.	Fixed salary. Midwifery and vaccination extra.	No.
KENT .	8. DARTFORD . .	By the 3rd method.	Fixed salary.	No; on the contrary, it is believed that the medical officers have given entire satisfaction, not only to the Guardians, but to the public and the poor.
KENT .	9. DOVER . . .	By the 3rd method. The appointment was offered to a gentleman, who accepted it.	Fixed salary. Midwifery and trusses extra.	No.
KENT .	10. EASTRY . . .	By the 1st method.	Fixed salary. Midwifery extra.	No.
KENT .	11. ELTHAM . .	By the 1st method.	Fixed salary.	No.
KENT .	12. FAVERSHAM .	By the 1st method.	Fixed salary.	No.
KENT .	13. GRAVESEND and MILTON . .	The Guardians first fixed the salary, and then selected a gentleman to fill the office.	Fixed salary. Midwifery and fractures extra.	Yes; on the part of the medical officer as to his remuneration.

e UNIONS in KENT and SUSSEX.

<p>there been any facts observed at your Boarding to show that the position to seek Medical Relief has been either urged or discouraged the Medical Arrangements?</p>	<p>What is the practice respecting the Medical Relief of the families of men usually in employment and earning the ordinary wages of the District?</p>	<p>What is the practice respecting the Medical Relief of all persons, other than able-bodied men, who are not otherwise in the receipt of relief?</p>	<p>Is it the practice for the Medical Officer to require an order for Medical Relief before he attends a permanent pauper?</p>
No.	Granted only when the family is large and poor, or where there is a contagious disease.	Granted.	Yes.
No.	Granted when there are 4 children and upwards.	Generally granted.	Yes.
No.	Granted occasionally.	Invariably granted.	Not if the applicant is well known to the Medical Officer.
No.	Dependent on circumstances of the case.	Dependent on circumstances of the case.	Yes.
No.	Generally refused.	Generally granted.	Yes.
No.	Occasionally granted to large families.	Usually granted in cases of large families.	Yes, generally.
No.	Granted only when there are 4 or more children under 12.	Granted.	Yes.
No.	Generally refused; but granted in some cases to large families.	Generally granted.	Yes; except in cases of emergency.
No.	Occasionally granted.	Generally granted.	Yes, always.
No.	Granted only in extreme cases.	Granted, if absolutely required, in cases of real destitution.	Yes.
mainly not encouraged.	Granted occasionally.	Granted.	Yes.
No.	Generally withheld.	Generally granted.	Yes.
No.	Granted in cases of inability to provide it.	Generally granted.	Yes.

TABLE respecting the MEDICAL ARRANGEMENTS

COUNTY.	UNION.	Have the Medical Officers been selected;—1st, by that description of tender in which the person tendering names the remuneration? 2ndly, by that description of tender in which an offer of services is alone made, the salary having been previously fixed by the Guardians? or, 3rdly, by a private arrangement between the Guardians and medical men?	Are the Medical Officers paid, 1st, by a fixed salary? or, 2ndly, by a payment per case? or, 3rdly, how otherwise?	Has any dissatisfaction arisen as to the medical arrangements?
KENT .	14. HOLLINOBOURN	The Guardians offered the medical attendance to several gentlemen at a fixed amount, who arranged among themselves the division of the districts and the amount to be received by each.	Fixed salary. Midwifery and vaccination extra.	No.
KENT .	15. HOVE	By the 2nd method.	Fixed salary. Midwifery extra.	No.
KENT .	16. MAIDSTONE .	Chosen at first formation of Union out of a number of candidates. The medical officers were allowed to apportion the amount of remuneration fixed by Guardians, the Guardians fixing the districts.	Fixed salary.	No.
KENT . .	17. MALLING . . .	On the formation of the Union, the resident medical gentlemen were applied to by the Guardians, and an agreement entered into, which still remains in force.	Fixed salary. Midwifery extra.	Yes; on the part of the medical officers as to their remuneration.
KENT . .	18. MEDWAY . . .	By the 2nd method.	Fixed Salary.	No.
KENT . .	19. MILTON	By the first method in 1836. The contract since continued from year to year. man acting for the whole Union; but the Guardians are perfectly satisfied with the manner in which the medical duties are performed. Some complaints of neglect in individual cases have been made, which, on investigation, have proved groundless.	Fixed salary.	Yes; some dissatisfaction has been expressed on part of the public as to the size of the district, one gentleman acting for the whole Union; but the Guardians are perfectly satisfied with the manner in which the medical duties are performed. Some complaints of neglect in individual cases have been made, which, on investigation, have proved groundless.
KENT . .	20. ROMNEY MARSH	At formation of Union, by first method. The contract then entered into still remains in force.	Fixed salary for attendance at work-house. Out-door cases at per case.	No.
KENT . .	21. SEVENOAKS . .	By the first method.	Fixed salary.	No.
KENT . .	22. SHEPPEY . . .	By the second method. Salary has lately been raised by Guardians on the application of the medical officers.	Fixed salary, including midwifery.	No.
KENT . .	23. TENTERDEN . .	By the third method. In most cases the resident medical gentleman has been appointed.	Fixed salary.	No, it is not possible for medical system to work better.
KENT . .	24. THANET, ISLE OF	By the second method.	Hitherto by a fixed salary. This year a fixed salary for attending at work-house, and out-cases at per case.	No. The Guardians, however, considering the salary for attending at the work-house much too large, have resolved to reduce it by 20

the UNIONS in KENT and SUSSEX—Continued.

ave there been any facts bserved at your Board ending to show that the isposition to seek Medical elief has been either en- couraged or discouraged by he Medical arrangements?	What is the practice respect- ing the Medical Relief of the families of men usually in employment, and earn- ing the ordinary wages of the District?	What is the practice respect- ing the Medical Relief of all persons, other than able- bodied men, who are not otherwise in the receipt of relief?	Is it the practice for the Me- dical Officer to require an order for medical relief be- fore he attends a <i>perma- nent</i> pauper?
es. Medical relief has en encouraged.	Granted in cases of fami- lies of more than three chil- dren.	Invariably granted.	Yes, generally, though it is not considered absolutely necessary.
Rather encouraged.	Generally granted to large families, the medical officers preferring to attend them on the Union account, as few can afford to pay a medical bill.	Granted when deemed ne- cessary.	Yes.
Supposed to have been rat- her discouraged.	Withheld.	Sometimes granted, great caution being exercised.	Yes.
Has been encouraged.	Granted at discretion of re- lieving officer.	Granted.	Yes, generally.
No.	Granted when necessary.	Granted when necessary.	Yes.
No.	Generally granted to large families.	Granted.	Yes.
Discouraged.	Granted to large families. Granted to other families on loan.	Granted to deserving cha- racters.	Yes.
No.	Generally granted to men with more than one child.	Granted.	Yes, generally.
No.	Withheld.	Granted in cases of desti- tution.	Yes.
certainly not encouraged.	Granted in cases of more than three children.	Only granted in cases of extreme necessity.	Not always.
Discouraged, in consequence applicants imagining that order for medical relief titles them to out-door re- f generally.	Always withheld till the late winter, when it was allowed in a few cases.	Frequently granted.	Yes, generally.

TABLE respecting the MEDICAL ARRANGEMENT

COUNTY.	UNION.	Have the Medical Officers been selected:—1st, by that description of tender in which the person tendering names the remuneration? 2ndly, by that description of tender in which an offer of services is alone made, the salary having been previously fixed by the Guardians? or, 3rdly, by a private arrangement between the Guardians and medical men?	Are the Medical Officers paid, 1st, by a fixed salary? or, 2ndly, by a payment per case? or, 3rdly, how otherwise?	Has any dissatisfaction arisen as to the medical arrangements?
KENT . .	25. TONBRIDGE . . .	By the 3rd method.	Fixed salary. Midwifery and vaccination extra.	Yes; on the part of the medical officers as to their remuneration; but no complaint has been formally made to the Guardians.
SUSSEX.	25. BATTLE	By the 1st method.	Fixed salary. Midwifery and vaccination extra.	No.
SUSSEX.	27. CHAILEY	By the 1st method.	Fixed salary.	No.
SUSSEX .	28. CUCKFIELD . . .	By the 1st method.	Fixed salary. Midwifery and vaccination extra.	Yes; on the part of the medical officers, as to vaccination being included in the fixed salary, in consequence of which vaccination is not paid for extra.
SUSSEX.	29. EASTBOURN . . .	Originally selected by the 2nd method. Same contract still continues.	Fixed salary, including midwifery.	Yes; on the part of the medical officers, as to their remuneration.
SUSSEX .	30. EAST GRINSTEAD	By the 2nd method. Guardians fixed the salary at 6 <i>d.</i> a-head on the population.	Fixed salary. Midwifery extra.	Yes, on one occasion on the part of the Guardians, the medical officer having taken report of the health of the patient instead of ascertaining his state by a personal visit.
SUSSEX .	31. HAILSHAM	By 1st method.	Fixed salary. Midwifery extra.	Yes, it is generally thought the districts are too large. The medical officers complained of dissatisfaction has been expressed by the public on the attendance of the medical officers.
SUSSEX .	32. HASTINGS	By 1st method.	Fixed salary.	Yes, on the part of the public in the country district on one occasion last year as to the attendance of the medical officers.
SUSSEX .	33. HORSHAM	By 1st method.	Fixed salary. Midwifery extra.	Yes, on the part of the public of Ifield parish, as to the attendance of the medical officers residence. A new arrangement of districts will commence from Lady-day, 1850 which will secure an efficient attendance in each parish.
SUSSEX .	34. LEWES	By 1st method. In advertisement for tenders Guardians stated that they would not agree to a salary exceeding 4 <i>d.</i> per head on the population.	Fixed salary.	Yes, on the part of the medical officers, as to their remuneration.

the UNIONS in KENT and SUSSEX—Continued.

Are there been any facts observed at your Board tending to show that the disposition to seek Medical Relief has been either encouraged or discouraged by the medical arrangements?	What is the practice respecting the Medical Relief of the families of men usually in employment, and earning the ordinary wages of the district?	What is the practice respecting the Medical Relief of all persons, other than able-bodied men, who are not otherwise in the receipt of relief.	Is it the practice for the Medical Officer to require an order for medical relief before he attends a <i>permanent</i> pauper?
No.	Granted to large families.	Granted.	Yes, generally.
Rather discouraged.	Granted almost invariably.	Granted almost invariably.	Not generally.
No.	Granted to men with large families, not earning more than 12s. a week.	Dependent on the circumstances of the applicant.	Not generally.
Disposition to be placed on the medical list, for the purpose of getting general relief, has been in some few instances observed.	Granted when the Guardians are satisfied that the head of the family cannot pay for it himself.	Granted when the Guardians are satisfied that the applicant cannot pay for it himself.	Very seldom.
No.	Sometimes granted.	Sometimes granted.	Not always.
No.	Dependent on circumstances of the man.	Dependent on circumstances of applicant.	Yes.
Nothing can positively be said on this point.	Dependent on number and circumstances of family.	Dependent on condition of applicant.	Yes.
Very much encouraged.	Always granted when applied for.	Always granted when applied for.	Not always.
No.	Generally granted.	Always granted where applicant is unable to pay for it himself.	Yes, except in cases of emergency.
No.	Granted when the man's earnings are not more than 12s. a-week.	Never refused.	Always.

TABLE respecting the MEDICAL ARRANGEMENTS

COUNTY.	UNION.	Have the Medical Officers been selected:—1st, by that description of tender in which the person tendering names the remuneration? 2ndly, by that description of tender in which an offer of services is alone made, the salary having been previously fixed by the Guardians? or, 3dly, by a private arrangement between the Guardians and medical men.	Are the Medical Officers paid, 1st, by a fixed salary? or 2ndly, by a payment per case? or, 3rdly, how otherwise?	Has any dissatisfaction arise as to the medical arrangements?
SUSSEX.	35. MIDHURST . . .	By 1st method.	Fixed salary.	Yes, on the part of the poor in one instance as to the attendance of the medical officers, and in several instances with the efficiency of the medical officers' assistants. Several of these cases of dissatisfaction have been inquired into by the Guardians and found totally groundless. Also on the part of the poor of one parish as to the distance of the medical officers' residence.
SUSSEX.	36. NEWHAVEN . . .	By 1st method. The present contract is to be continued for another year by a private arrangement between the Guardians and the medical officer.	Fixed salary.	No, not the slightest dissatisfaction has been heard of.
SUSSEX.	37. PETWORTH . . .	Originally by 1st method. Contract first entered into still remains in force.	Fixed salary.	Yes, as to the attendance of the medical officer; but none which the Guardians have thought worthy of notice.
SUSSEX.	38. RYE	By 1st method.	Fixed salary. Midwifery extra.	No.
SUSSEX.	39. STEYNING. . . .	By 1st method.	Fixed salary.	No.
SUSSEX.	40. THAKEHAM . . .	By 1st method.	Fixed salary.	Yes, on the part of one medical officer, as to the amount of remuneration, and as to the tender mode of election.
SUSSEX.	41. TICEHURST . . .	Hitherto by 1st method; but present contract is to continue in force, with a slight exception, another year.	Fixed salary of 4½d. per head on the population. Midwifery extra.	Yes, on the part of the medical officers, who allege the 4½d. per head on population is not a fair remuneration, and that area ought to have been more taken into account; also on the part of the poor of one parish as to the distance of the medical officer's residence; which complaint has now been removed by the appointment of another gentleman to the office.
SUSSEX.	42. UCKFIELD	By 2nd method. Salary calculated at 6d. per head on population.	Fixed salary.	No.
SUSSEX.	43. WESTBOURN . . .	By 1st method. Present contract, however, to continue in force another year.	Fixed salary.	No.
SUSSEX.	44. WESTFIRLE	By 1st method.	Fixed salary.	No.
SUSSEX.	45. WESTHAMPNETT	By 1st method. The present contract, however, to remain in force another year.	Fixed salary.	No.

THE UNIONS IN KENT AND SUSSEX.—Continued.

<p>ve there been any facts observed at your Board tending to show that the disposition to seek Medical relief has been either encouraged or discouraged by the Medical arrangements?</p>	<p>What is the practice respecting the Medical Relief of the families of men usually in employment, and earning the ordinary wages of the District?</p>	<p>What is the practice respecting the Medical Relief of all persons other than able-bodied men who are not otherwise in the receipt of relief?</p>	<p>Is it the practice for the Medical Officer to require an order for Medical relief before he attends a <i>permanent</i> pauper?</p>
<p>No.</p>	<p>Generally granted to large families when wife or child is ill.</p>	<p>Granted.</p>	<p>Yes.</p>
<p>In one case medical relief is supposed to have been sought after for the purpose of being placed on out-relief.</p>	<p>Seldom applied for.</p>	<p>Always granted, according to tenor of medical contract.</p>	<p>Yes.</p>
<p>No. The facilities for obtaining medical relief are exactly the same as those under the old system.</p>	<p>Granted.</p>	<p>Granted.</p>	<p>No.</p>
<p>No.</p>	<p>Granted in cases of great destitution, and sometimes in other cases on birth of sixth child.</p>	<p>Generally granted.</p>	<p>Not if he has attended the pauper before.</p>
<p>No.</p>	<p>Granted to agricultural labourers with three children and upwards.</p>	<p>Generally, when the applicant is considered in distress.</p>	<p>Yes.</p>
<p>No.</p>	<p>Generally granted to large families.</p>	<p>Granted if applicant appears actually to require it.</p>	<p>Yes.</p>
<p>Yes; much sought after for the sake of the nourishment ordered in such cases.</p>	<p>During the last two months has been generally granted; before which time it was always confined to men with more than four children.</p>	<p>Granted without restriction.</p>	<p>Yes, except in cases of emergency.</p>
<p>Yes; that such a disposition has been rather encouraged.</p>	<p>Granted to large families.</p>	<p>Generally granted.</p>	<p>Yes.</p>
<p>No.</p>	<p>Granted to families of four children and upwards.</p>	<p>Granted.</p>	<p>Yes.</p>
<p>No.</p>	<p>Granted to large families.</p>	<p>Granted in cases of destitution.</p>	<p>Yes.</p>
<p>No; but the clerk's impression is that such a disposition has been encouraged.</p>	<p>Almost invariably granted.</p>	<p>Granted.</p>	<p>Yes.</p>

FORM USED IN THE DARTFORD UNION.

ABSTRACT MEDICAL WEEKLY RETURN.

From the

to the

18

FIRST DISTRICT.

	Total Number of Cases remaining on the List at the end of the week.		Fresh Cases.		Dead.		Cured or Discharged.		Total Number of Cases remaining on the List at the end of the Week.	
	In door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.
Dartford	14	13	..	2	..	..	2	3	12	12
Ash next Ridley	1	1	..	1	..	..	1	..	..	1
Bexley	5	13	..	..	..	..	3	..	2	14
Crayford	3	21	..	2	..	..	..	6	3	17
Darenth . . . . .	..	1	..	..	..	..	..	..	..	1
Erith	1	9	2	..	..	..	..	2	3	7
Eynsford	4	4	..	..	..	..	..	1	4	3
Farningham	2	2	..	..	..	..	..	..	2	2
Fawkham . . . . .	..	..	..	..	..	..	..	..	..	..
Hartley . . . . .	..	..	..	..	..	..	..	..	2	1
Horton Kirby	2	1	..	..	..	..	..	..	6	..
Kingsdown	6	..	..	..	..	..	..	..	1	..
Longfield	1	..	..	..	..	..	..	..	1	..
Lullingstone . . . . .	..	1	..	..	..	..	..	..	..	1
Ridley . . . . .	..	..	..	..	..	..	..	..	1	..
Southfleet . . . . .	..	1	1	..	..	..	..	..	1	1
Stone	1	5	..	..	..	..	..	1	1	4
Sutton-at-Hone . . . . .	..	4	..	..	..	..	..	1	..	3
Swanscombe . . . . .	..	2	..	1	..	..	..	..	..	3
Wickham, East	2	8	..	..	..	..	2	..	..	8
Wilmington	3	3	..	..	..	..	1	..	2	3
Total	45	79	3	6	..	..	9	14	39	81

E. C. TUFNELL, Assistant Commissioner.

VIII.—MEMORANDUM by Sir JOHN WALSHAM—Northumberland, Cumberland, Westmoreland, Durham, &c.—With three Enclosures.

Questions as propounded in the Commissioners' Circular of the 21st of February.

1. "How are the medical officers selected in the several Unions under your superintendance, and has the system of tender been adopted in any cases?"

Remarks in reply to the annexed Questions.

1. The medical relief under the former management of my district constituted so insignificant a feature among the parochial disbursements, more especially in Northumberland and the northern division of Durham, that at the outset neither the Guardians nor the Assistant Commissioners had any comprehensible data furnished by the experience of the past, upon which to calculate the future, remuneration of medical officers. In point of fact, the medical relief to the poor (as administered by

overseers and vestries, and when considered in a pecuniary sense and on a population basis) did not average throughout the north one-sixth of the cost at which, *ceteris paribus*, medical relief would have been estimated in the southern and midland counties; and although, for my own part, I was, as I always have been, very averse to the system of tender, it was nevertheless immediately evident, upon the organization of the most northern Unions, that we must either abandon altogether the appointment of a regular medical staff, or resort to the alternative of tender; I have therefore to admit that by direct tender (*i. e.* by result of public advertisement), or by indirect tender (*i. e.* by result of circular notes to the different practitioners of a Union), the medical officers of this district have been almost invariably selected.

2. "What mode is adopted in the several Unions under your superintendence of fixing or apportioning the salaries of the medical officers?—*i. e.*

- "By a fixed salary,
- "By a payment per case,
- "By a pauper list,
- "Or how otherwise?"

2. These officers are remunerated—

A. By a fixed salary (averaging, perhaps, two-pence per head on the gross population) in the Unions of Alnwick, Alston, Auckland, Belford, Berwick, Bootle, Carlisle, Chester-le-Street, Darlington, Durham, East Ward, Gateshead, Glendale, Hexham (in part), Haltwhistle (in part), Houghton, Kendal, Morpeth (in part), Newcastle, Penrith, Sedgefield, South Shields, Stockton, Sunderland, Teesdale, Tynemouth, Ulverstone, Weardale, West Ward, and Whitehaven.

B. By a payment per case (averaging, perhaps, ten shillings each) in the Unions of Brampton, Cockermouth, Easington, Hexham (in part), Haltwhistle (in part), Lanchester, Longtown, and Wigton.

C. By a pauper list (at eighteen-pence per head), in the Union of

Tynemouth, till 1838, when this scheme was abandoned in favour of a fixed salary; of which I believe the gross annual amount received by the medical officers, respectively, during the previous year, afforded the groundwork.

D. By an allowance for medicines in the peculiarly-circumstanced Union of Rothbury, and by an allowance for mileage (after the rate of six-pence per mile), as well as by a payment of the discretionary charges of the medical men (employed as occasions call for their services) in the Unions of Castle-ward and Bellingham, and in the remoter parts of the Union of Morpeth.

3. "Has dissatisfaction arisen in any, and in which, of the Unions under your superintendance, on any of the following points—

1. "As to the size of the districts.
2. "As to the remuneration of the Medical Officer.
3. "As to the qualification of the Medical Officer.
4. "As to the mode in which he is chosen.
5. "As to the attendance or efficiency of the Medical Officer; and you will distinguish whether that dissatisfaction has arisen—
 "On the part of the poor,
 "The Medical Officer,
 "The Guardians,
 "Or the public generally."

3. I beg, in the first place, to refer the Board to Enclosure 1, hereto annexed, and, in the next, to submit the following observations:—

1. I am not aware of any dissatisfaction having arisen on the part of the poor or the public generally, "as to the size of the medical districts," although the Commissioners have taken objections to the same medical officers holding two or more districts in the Carlisle, and likewise in the Auckland, Unions. In the latter the medical officer had a partner who divided the duties with him; and I have, since their election, heard no complaints on the score of neglect in the former: the Guardians had no alternative but to accept Doctor Nicholson's offer, for (I think) three districts, or to leave two districts unofficered; in this instance, likewise, I have heard no complaints on the score of neglect; and on visiting in the spring a workhouse at Carlisle, in which the small-pox had broken out among the children, I found Dr. Nicholson in attendance, and had then, as subsequently, every rea-

son to be satisfied with the intelligence and zeal he evinced.

2. In the Hexham Union some dissatisfaction has, it would seem, arisen "*as to the remuneration of the medical officers,*" on the part of certain of those officers themselves (see Enclosure 1), and in the Houghton-le-Spring Union, prior to a former election of medical officers, objections were urged by the old practitioners to the insufficiency of the salaries offered by the Guardians, and accepted by younger men; objections in which the Commissioners and myself fully, but unavailingly, concurred. Of other dissatisfaction, however, *as to the remuneration of medical officers,* I call no instances to mind.

3. In respect of "*the qualifications of the medical officers,*" difficulties have occurred in the Bellingham and Rothbury Unions, which appear to have been also experienced at Penrith (see Enclosure 1), in consequence of the local practitioners not being "duly licensed;" but I cannot say that my attention has been officially drawn to this point, except in two cases; one at Wolsingham (Weardale Union), where the medical officer objected to proved himself a member of the College of Surgeons at Edinburgh; and the other at Whelpington (Bellingham Union), where the medical officer objected to proved himself to have been in practice before 1815; of dissatisfaction on the part of the poor or the public generally, respecting "*qualifications,*" I have, however, heard nothing, nor do I believe that any exists.

4. If dissatisfaction has ever arisen, or been expressed, as "*to the mode (viz. by tender) in which the medical officers are chosen,*" it has been so trifling as wholly to

have escaped my recollection, and I shrewdly suspect that there are very few persons in the district, *except myself*, whether belonging to the medical profession or not, who really entertained any scruples as to the “derogatory” (?) nature of the system of open tender.

5. In the Weardale Union a medical man was dismissed by the Commissioners, at the request of the Guardians, for non-attendance and inefficiency. In the Easington Union dissatisfaction had, I suspect, arisen in regard to the conduct of a medical officer, but his resignation prevented my official knowledge of the complaints (if there were any) against him; and in the Ulverstone Union the Commissioners have had before them the complaint of a Guardian against one of the medical officers for want of care and efficiency in his treatment of a consumptive patient; which complaint was, however, repudiated by his colleagues of the Board of Guardians. The foregoing cases excepted, I am cognizant of no dissatisfaction, but, on the contrary, of the utmost satisfaction having everywhere arisen *on the part of the poor, of the Guardians, and of the public generally, as to the attendance and efficiency of the medical officers of this district*; and, whenever I say “this district,” I would wish to be understood as speaking most positively in respect of the Northumberland and Durham Unions; though, doubtless, with more diffidence, and only to the best of my knowledge and belief, in respect of the Cumberland and Westmoreland Unions; being, for obvious reasons, less intimately acquainted with the details of the latter (which were declared under another Assistant Commissioner’s superintendence) than with those of the

4. "Have you observed any facts in any and which of the Unions under your superintendence tending to show that a disposition to seek medical relief (or relief generally) has been encouraged or discouraged by the medical arrangements?"

former, which were organized by myself.

4. With respect to the adjoining query, I must again refer the Board to Enclosure 1; premising, nevertheless, that (irrespective of the facts communicated by the Clerks of the Tynemouth and Ulverstone Unions) I am myself clearly of opinion that "*a disposition to seek relief generally*" has not been discouraged, *but the contrary*, by the medical arrangements of the district. I am not, indeed, enabled to adduce any special illustrations corroborative of this my decided impression; but that such an effect will have followed the substitution of an easy and intelligible means of obtaining medical assistance, if required, from practitioners of reputation and humanity, *in the stead of little or no medical assistance whatever*, appears so obvious a consequence that I shall be greatly and agreeably surprised if the change in question shall not be found to have established among the poor a habit of seeking medical relief with a view of obtaining relief generally in articles of nourishment, which, without much watchfulness on the part of the Guardians, and much discretion on the part of the medical officers, will lead to considerable abuse.

5. "What is the practice in the Unions under your superintendence respecting the medical relief of the families of men who are usually in employment at the ordinary wages of the district?"

5. The rule on this point, as generally received in my district, requires that no medical relief be given to the families of able-bodied men in employment at any wages; and throughout Northumberland and the greater portion of the county of Durham such general rule works peremptorily, unless in cases of very peculiar emergency; but I am by no means clear that in the Darlington, Longtown, Brampton, East Ward, Carlisle, and Wigton Unions,—in every Union, in short, where hand-loom

6. "What is the practice in the Unions under your superintendence respecting the medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?"

7. "Is it the practice in the Unions under your superintendence for aged or infirm persons, or others who are habitually in receipt of out-door relief, to apply for an order for medical relief before the medical officer of the district attends them?"

8. "Do you consider any special or general alteration of the medical arrangements in your district is desirable; and, if so, what alteration would you suggest, keeping in your view more especially—

weavers are numerous,—the great principle of never giving relief in aid of wages is not sometimes violated, so far as medical relief may be concerned, to say nothing here of other kinds of relief.

6. Medical relief to persons in the circumstances presumed by the query does not prevail in my district. Of course it will occasionally happen that a labouring person, suddenly deprived by accident or sickness of his or her ability to earn a livelihood, may require the ministrations of the medical officer at once, and before the Guardians can have an opportunity of examining into the case, or of making an order for the necessary relief; but the practice of continuing medical relief to a pauper whose means appear to be otherwise sufficient for his or her maintenance has never to my knowledge existed in the Unions under my superintendence.

7. In nineteen cases out of twenty the necessity or desire for medical aid will be always made known, on the part of the pauper, to some person authorised by law (as are relieving officers and overseers) or authorised by custom (as are clergymen and Guardians) to procure for them the attendance of the medical officer. I do not, indeed, see how a different course can be adopted, or why medical officers should, in the first instance, attend out-door paupers (whatever their class) without an order or direction, which no paupers needing one have the least difficulty in obtaining.

8. A. I do not consider any general, nor, indeed, any special alteration "*in the size of the medical districts*" necessary, inasmuch as the strictest care was taken in the organization of those districts (consistent with the local pecu-

- “ A The size of the districts,
- “ B The establishment of a
“ pauper-list,
- “ C The mode of payment of
“ medical officers,
- “ D And the mode of appoint-
“ ing them.”

liarities of the several Unions, and having due regard at the same time to the private circuits of the practitioners themselves) to prevent their extents tending to unwieldiness; but I have annexed, under the head of “Enclosure 2,” a sort of statistical account of the medical districts of some half-dozen Unions, chosen at hazard, which may exemplify the practice as to the size of such districts in the counties under my charge. I must, however, take leave to add, that nothing can, in my humble judgment, be more undesirable than the plan of squaring medical districts to one uniform area, whereof the comparative smallness will, it is said, constitute the guarantee for constant attention to the poor within its limits: I agree fully in the expediency of framing a medical district so as to procure the best and readiest attendance for the poor who may fall sick within its limits; but then those limits must be adapted to the nature of the country; to the *locus in quo* the practitioner resides; to the circuit of his private practice; and to other modifying circumstances which may render the size of the districts in the Union of M. wholly inapplicable to the well-working of the same in the neighbouring Union of N.

B. “*The establishment of a pauper-list*” (if it implies a payment per head) will not suit the circumstances of this district, because a sum not exceeding 1s. or 1s.6d. per head would produce, on an average, more than an annual equivalent for the present salaries, &c., of the medical officers of the four northern counties, and would, therefore, be insisted on by the Boards of Guardians as sufficient. Now, as the medical club system was vehemently denounced on the score of the inadequacy of Mr.

Power's proposed scale of remuneration, one still lower would, *à fortiori*, be more vehemently denounced; and thus much needless dissatisfaction and discontent would be occasioned.

C. "*The mode of payment of medical officers*" of which I deem most favourably is *a payment per case*. I am aware that this mode of payment is open to the objection, *in theory*, that the economy of guardians will tend to contract prejudicially the issue of medical orders, when each additional order involves notoriously an additional charge; but my experience has taught me that *in practice* there is not any the remotest danger for apprehending such a result as neglect of the sick poor, on pecuniary grounds, from any Board of Guardians in my district: *the danger, in truth, lies wholly in the other extreme*. I think, however, that there should be one scale of payment for illness, another for surgical cases, and a third for midwifery; one scale of payment for permanent paupers, and another for casual paupers; and as to the mode in which the amount of these payments may be best settled, I would venture to suggest that, some time in February, the Guardians should nominate a special committee to confer with a deputation from the medical practitioners of their respective Unions. That the committee and deputation of any given Union should, subject to the approval and (in the event of disagreement) to the arbitration of the Poor Law Commissioners, fix upon the several sums to be paid per case in their several medical districts; and that so soon as the arrangements decided upon by them have been sanctioned, and the disputed points (if any) definitively settled by the Commissioners, the Guardians should no-

tify that, on some day before the 25th of March, they would proceed to nominate and appoint medical officers to such and such districts, and on such and such terms; and should further notify (as regards

D. “*The mode in which medical officers would be most satisfactorily appointed*”) that the renewal of medical contracts at the end of each parochial year would thenceforth cease and determine, and the medical as well as the other Union officers hold their respective situations *quamdiu se bene gesserint*.

9. “Can you suggest any improvement in the forms of register kept by the medical officers, or in the orders issued by the Board of Guardians or relieving officers, or in the forms of certificate given by the medical officers or other practitioners?”

9. I have sketched and submit (under the head of Enclosure 3) a form of cheque-book which I think in substance essential to the efficient auditing of the out-relief expenditure-books (so far as the same are connected with medical relief), but still more essential as affording a means of checking an undue exercise of the privilege of ordering *extra relief*, unavoidably vested in medical officers; and I would also suggest that the regular medical report-book should contain one column for the name of the township in which a sick (out-door) pauper resides, and another for the name of the township in which he is settled.

1st November, 1839.

JOHN WALSHAM, *Asst. Comr.*

Enclosure 1.

Replies to queries 3 and 4 of the Commissioners' Circular on Medical Relief, of the 21st February; which queries were addressed on the 25th of the same month to the Clerks of the following Unions under Sir John Walsham's superintendence, viz. :—

- | | | |
|---------------|----------------|----------------|
| 1. Alnwick, | 4. Teesdale, | 7. Penrith, |
| 2. Hexham, | 5. Sunderland, | 8. Ulverstone; |
| 3. Tynemouth, | 6. Carlisle, | |

the same being Unions representing those differences of management and results that might be supposed to characterise distinct interests and unconnected localities, and consequently to afford fair criteria whereby

to judge of the general working of the medical arrangements in the counties of Northumberland, Durham, Cumberland, &c.

The answers marked A. were returned *previously*, and those marked B. *subsequently*, to the commencement of the present medical contracts.

1. Alnwick.

Alnwick, 1st March, 1839.

A.—Sir, I am in receipt of your letter of the 5th instant, and in reply beg to state that I am not aware of any dissatisfaction on the five points mentioned therein; nor have I observed any facts tending to show that a disposition to seek medical relief has been encouraged or discouraged by the medical arrangements in this Union.

I am, &c. W. DICKSON, *Clerk.*

Alnwick, 29th October, 1839.

B.—Sir, I have had the honour to receive your letter of the 28th instant, and have, in compliance therewith, referred to mine of the 27th February last. No circumstances have occurred to render that reply to the five points therein mentioned no longer applicable; and I do not wish, in any respect, to alter its purport.

I am, &c. W. DICKSON, *Clerk.*

2. Hexham.

Hexham, 7th March, 1839.

A.—Sir, I beg to inform you, in reply to your letter of the 25th ult., relative to the medical officers, that I am not aware of any dissatisfaction having arisen in this Union on any of the points submitted to me, excepting as to the remuneration of the medical officers; and that dissatisfaction has arisen on the part of the medical officers themselves, and not on the part of the poor, the Guardians, or the public; nor have I observed any facts in this Union tending to show that a disposition to seek medical relief, or relief generally, has been encouraged or discouraged by the medical arrangements.

I am, &c. JOHN STOKOE, *Clerk.*

Hexham, 29th October, 1839.

B.—Sir, the only circumstance which I am aware of since my letter to you of the 7th March last, to render my replies no longer applicable, or to cause me to alter their purport, is a little dissatisfaction prevailing on the part of one or two of our medical officers, that no remuneration can be had from parishes out of the Union for attendance upon their paupers within the Union, the Board having contracted with them to attend all paupers resident within the Union by salary, but to have in addition 12s. per case for such as belong to other Unions, *provided* the amount can be obtained from such Unions: unfortunately these contracts were arranged with the medical gentlemen previously to the Board's receiving your circular on the subject.

I am, &c. JOHN STOKOE, *Clerk.*

Note.—The circular above referred to was to the effect that, from and after the 25th of March last, and in *consideration of their fixed salaries or gratuities*, the medical officers of the Unions under Sir John Walsham's superintendence would have, as in other Unions, to attend on *all sick paupers* resident within a medical officer's district, and whether *settled* in that district or elsewhere.—J. W.

3. Tynemouth.

North Shields, 1st March, 1839.

A.—Sir, I am instructed by the Board of Guardians, in answer to your letter of the 25th February, to state that no dissatisfaction has ever arisen, or does now exist, in the Tynemouth Union, on any one of the points set forth in the communication above referred to, namely:—

1. As to the size of the districts.
2. As to the remuneration of the medical officer.
3. As to the qualification of the medical officer.
4. As to the mode in which he is chosen.
5. As to the attendance or efficiency of the medical officer.

In answer to your other question, as to whether I have observed any facts tending to show that a disposition to seek medical relief, or relief generally, has been encouraged or discouraged by the medical arrangements, I beg to subjoin a copy of a resolution passed by the Board of Guardians on the 28th ult. relative to that inquiry:—

“That this Board is of opinion that applications for medical relief have been encouraged by the present medical arrangements, and probably applications for relief generally have been also encouraged by them, viz., by parties expecting, if put on the sick list, that the medical officer might order them additional relief in the shape of necessaries.

“These applications, however, have not been found to exist to any serious extent; and the Board has always strongly impressed on their medical officers the necessity of extreme caution in giving such orders.”

I am, &c. JAMES BARKER, *Clerk.*

North Shields, 29th Oct., 1839.

B.—Sir, I have to acknowledge the receipt of your letter of the 28th instant, and have to state, in reply, that since my letter of the 1st March, ult., containing answers to certain queries on the subject of the medical relief of this Union, nothing has occurred to render such services inapplicable.

I am, &c. JAMES BARKER, *Clerk.*

4. Teesdale.

Barnard Castle, 29th Feb., 1839.

A.—Sir, I have the honour to inform you that, in reference to the medical arrangements, I read your letter to the Board. They know not, nor do I know, of any dissatisfaction existing on any of the points you name. No encouragement to seek medical relief, or other parochial relief, has been given by our medical arrangements; nor do I perceive that it has discouraged applications of this nature,—all remains much as usual on this point.

I am, &c. G. BROWN, *Clerk.*

Barnard Castle, 30th Oct., 1839.

B.—Sir, Adverting to my letter of the 29th ult., I do not see any reason to change my opinion, as therein given, on our medical arrangements. We never had but one complaint against our surgeons, and, upon investigation, no blame could be attached to them.

I am, &c. G. BROWN, *Clerk.*

5. Sunderland.

Sunderland, 2nd March, 1839.

A.—Sir, We beg to acknowledge the receipt of your letter of the 25th February, and in answer thereto to state, that no dissatisfaction of any kind has arisen in the Union,—

1. As to the size of the districts.
2. As to the remuneration of the medical officers.
3. As to the qualification of the medical officers.
4. As to the mode in which they have been chosen.
5. As to the attendance or efficiency of the medical officers.

And we are further directed by the Board to state that the medical officers of the Union are considered to be very attentive to their duties. We have, however, to add, that at the close of the meeting of the Board yesterday a letter was handed in from Mr. Torbock, medical officer of the Bishop Wearmouth district and of the Union Workhouse, submitting to the Board his claim for an increase of his salary. The business of the meeting being finished, Mr. Torbock's letter was not entered into, but it will be laid before the Board and taken into consideration next week, and the result communicated to you. We have no reason to believe that any increase of salary will be applied for by either of the other medical officers. With reference to the last inquiry, we have to say that neither the Board, nor any of the officers connected therewith, have observed any facts tending to show that a disposition to seek medical relief, or relief generally, has been either encouraged or discouraged by the medical arrangements.

We are, &c.

REED & BRUNTON, *Clerks.**Sunderland, 29th Oct., 1839.*

B.—Sir, With reference to your letter of yesterday's date, relative to our letter of the 2nd March last, in which we answered certain queries put to us on the subject of the medical relief of this Union, we beg to state that nothing has since occurred to render our replies inapplicable, and that we have no wish in any respect to alter their purport. At the close of our letter above adverted to, we did intimate that Mr. Torbock, the medical officer for the Bishop Wearmouth district, had made an application for an increase of his salary. The Board, however, did not think it right to accede to the application, and it was not pressed.

We are, &c.

REED & BRUNTON, *Clerks.*

6. Carlisle.

Carlisle, 29th Feb., 1839.

A.—Sir, In reply to your letter of the 25th instant, I have to inform you that no dissatisfaction has arisen in the Carlisle Union, for which I am clerk, on any of the following points:—

1. As to the size of the districts.
2. As to the remuneration of the medical officer.
3. As to the qualification of the medical officer.
4. As to the mode in which he is chosen.
5. As to the efficiency or attendance of the medical officer.

I have further to state that I have not observed any facts tending to

show that a disposition to seek medical relief, or relief generally, has been either encouraged or discouraged by the medical arrangements.

I am, &c. JAMES MOUNSEY, *Clerk.*

Carlisle, 30th Oct., 1839.

B.—Sir, No circumstance has occurred to render my replies to the queries sent you on the 29th February last no longer applicable, nor is there any reason for altering their purport.

I may state that the Guardians have since advertised for medical officers, but were unable to get any tenders except from the present medical gentlemen; and that Dr. Nicholson, who has the most extensive district, gives entire satisfaction to the poor and the Guardians.

I am, &c. JAMES MOUNSEY, *Clerk.*

7. Penrith.

Penrith, 8th March, 1839.

A.—Sir, In reply to your communication of the 25th ultimo, respecting the queries to be answered, the following observations therein will, I trust, prove satisfactory:—

1. As to the size of the districts. I am not aware of any complaint on this point since the period Alston was made a separate Union, and disunited from Penrith.

2. As to the remuneration of the medical officers. These officers, with probably one exception, receive more than commensurate to the duties they seemingly hitherto had to perform; in fact, one officer in one of the divisions will have received 25*l.* for the expiring year, and has only had one trifling case.

3. As to the qualification of the medical officer. There are six of these gentlemen engaged in the Union, yet, strictly speaking, two only have the requisite qualification according to the law. Yet in the remote parishes it would be nearly impossible to find medical men of superior talent to vocate for want of adequate practice. Yet the medical men who are appointed attend families who contribute to the poor-rates, and who are of course satisfied with their skill, so that the paupers cannot reasonably complain.

4. As to the mode in which he is chosen. The medical men have been annually elected by tender, though in the advertisement they were directed also to offer per case, but hitherto it has not been complied with. Last year I suggested to the Board that the contractor should include all casual cases, as in the preceding year: about 30*l.* was charged, independent of the contract for casual poor, receiving 10*s.* 6*d.* for each case, which has been saved to the Union the present year.

5. As to the attendance or efficiency of the medical officers. With one exception I am not aware of any complaints or of any dissatisfaction “on the part of the poor, the medical officers, the guardians, or the public generally.”

In reply to your second query, I have no hesitation in stating that the medical attendance on the poor is much better and more satisfactory under the new Poor Law than the old; and that the medical officers are now more attentive, on account that, under the present system, they

obtain their contract quarterly with punctuality; whereas, under the old system, continual disputes occurred, and they were never certain of their pay.

I am, &c. JAMES SHAW, *Clerk.*

Penrith, 31st Oct., 1839.

B.—Sir, In reply to your communication of yesterday, relative to the queries on “Medical Relief,” answered in March last, I have only to remark that, upon looking over these queries, I am not aware of anything having transpired to alter the opinions then given, save that with respect to the answer to the 5th query, there is no longer any necessity for noticing an exception to the attendance and efficiency of the medical officers.

I am, &c. JAMES SHAW, *Clerk.*

8. Ulverstone.

Ulverstone, 28th Feb., 1839.

A.—Sir, In reply to the first inquiry contained in your letter of the 25th instant, which I received yesterday, I beg to inform you that no dissatisfaction has arisen in this Union with regard to any of the points you advert to; on the contrary, I have no hesitation in saying that the medical arrangements in this Union have been such as to secure the best medical advice, and have given the greatest satisfaction to all parties concerned.

With regard to your second inquiry I have only to observe, that the medical appointments, from the talents and unexceptionable character of the officers, have had a tendency to encourage the seeking of medical relief on the part of the poor, but all applications are strictly examined by the Guardians before medical assistance is afforded.

I am, &c. JOHN POSTLETHWAITE, JUN., *Clerk.*

Ulverstone, 30th Oct., 1839.

B.—Sir, As requested in yours of the 28th instant, I have referred to my letter of the 28th February ultimo, answering certain queries put to me on the subject of the medical relief of this Union, and I am not aware that any circumstances have since occurred to render my replies no longer applicable, nor do I wish in any respect to alter their purport.

I am, &c. JOHN POSTLETHWAITE, JUN., *Clerk.*

Enclosure 2.

CARLISLE UNION.—Six Medical Districts, viz.

1. Burgh	. . dis.	4 Parishes	Population	1,890	4 × 2 Miles.
2. Stanwix	. . ,,	3 ,,	,,	3,099	5 × 2
3. Dalston	. . ,,	3 ,,	,,	3,956	7 × 3½
4. St. Mary	. . ,,	3 ,,	,,	11,135	3 × 3
5. St. Cuthbert	. ,,	3 ,,	,,	9,615	3 × 3
6. Wetheral	. . ,,	3 ,,	,,	5,332	4 × 3

EAST WARD UNION.—Six Medical Districts, viz.

1. Kirkby Stephen	dis.	11 Townships.	Population	3,009	14 × 10 Miles
2. Brough . . .	,,	7 ,,	,,	2,816	10 × 6
3. Appleby . . .	,,	4 Parishes.	,,	3,349	13 × 5
4. Temple Sowerby	,,	6 Townships.	,,	2,744	10 × 6
5. Orton . . .	,,	1 Parish.	,,	1,501	9 × 5
6. Ravenstonedale	,,	1 ,,	,,	1,036	8 × 6

GATESHEAD UNION.—Five Medical Districts, viz.

1. Gateshead . . .	dis.	1 Parish.	Population	15,177	3½ × 3 Miles.
2. Heworth . . .	,,	1 ,,	,,	5,424	3½ × 3
3. Whickham . . .	,,	1 ,,	,,	3,848	5½ × 3½
4. Winlaton . . .	,,	2 Townships.	,,	4,205	4 × 2½
5. Ryton . . .	,,	4 ,,	,,	2,363	3 × 2½

HEXHAM UNION.—Eight Medical Districts, viz.

1. containing . . .		6 Townships.	Population	6,056	6 × 6 Miles.
2. ,,		9 ,,	,,	2,454	7 × 6
3. ,,		6 ,,	,,	1,202	8 × 3
4. ,,		8 ,,	,,	3,640	8 × 6
5. ,,		4 ,,	,,	2,404	7 × 4
6. ,,		1 Parish.	,,	5,540	8 × 6
7. ,,		20 Townships.	,,	3,123	3 × 3
8. ,,		17 ,,	,,	2,919	8 × 4

NEWCASTLE-UPON-TYNE UNION.—Six Medical Districts, viz.

1. containing . . .		1 Parish.	Population	6,626	¾ × ¼ Miles.
2. ,,		1 ,,	,,	9,007	½ × ¼
3. ,,		4 Townships.	,,	7,261	2¾ × 1½
4. Part of All Saints' Parish			,,	13,000	½ × ½
5. Part of All Saints' and 2 Townships			,,	12,733	2½ × 1
6. St. Andrew's Parish & Jesmond Township			,,	15,129	2½ × 1½

STOCKTON UNION.—Six Medical Districts, viz.

1. Stockton . . .	dis.	7 Townships.	Population	8,834	4 × 3 Miles.
2. Norton . . .	,,	6 ,,	,,	2,510	4 × 3
3. Hartlepool . . .	,,	6 ,,	,,	3,949	4 × 3
4. Middlesbro' . . .	,,	3 ,,	,,	3,156	2 × 2
5. Yarm . . .	,,	10 ,,	,,	3,315	4 × 4
6. Greatham . . .	,,	9 ,,	,,	1,924	3 × 3

TEESDALE UNION.—Seven Medical Districts, viz.

1. Barnard Castle	dis.	13 Townships.	Population	7,682	12 × 7 Miles.
2. Barmingham . . .	,,	6 ,,	,,	1,333	4 × 3
3. Staindrop . . .	,,	8 ,,	,,	2,751	6 × 4
4. Gainford . . .	,,	4 ,,	,,	868	5 × 2
5. Cockfield . . .	,,	3 ,,	,,	1,230	5 × 3
6. Middleton . . .	,,	5 ,,	,,	3,557	15 × 4
7. Romaldkirk . . .	,,	5 ,,	,,	2,375	5 × 6

Enclosure 3.

Medical Officers' Extra-Relief Cheque Book.

Date when ordered.	Names of Paupers.	Townships to which Paupers belong.	Wine in glasses per diem.	Spirits, do.	Porter or Ale, in Gills per diem.	Fine Bread, in Ounces per diem.	Tea or Coffee.	Butcher's Meat in $\frac{1}{2}$ pounds.				Reason why ordered.	When discontinued, with Remarks.

J. W.

IX.—ABSTRACT of RETURNS from MR. DAY'S DISTRICT, comprising UNIONS in the Counties of Shropshire and North Wales.

Circular to Unions in Mr. Day's District.

SIR,

Woodside, 25th Feb., 1839.

THE POOR LAW COMMISSIONERS request information on the following particulars relative to medical relief in your Union:—

1st. Are the medical officers selected by tender, or otherwise;—if the former, have the Guardians considered themselves bound to accept the lowest offer?

2ndly. Is the remuneration by a fixed salary, or how otherwise?

3rdly. Has any dissatisfaction arisen on any of the following points?

1st. As to the size of the districts.

2ndly. As to the remuneration of the medical officer.

3rdly. As the qualification (legal) of the medical officer.

4thly. As to the mode in which he is chosen.

5thly. As to the attendance or efficiency of the medical officers.

And you will distinguish whether that dissatisfaction has arisen,—
on the part of the poor,
on the part of the medical officer,
on the part of the Guardian,
or on the part of the public generally.

4thly. If any dissatisfaction or inconvenience have arisen from the size of the medical districts, you will state whether the Guardians could have subdivided the districts in any way so as to have secured within each the services of a resident

legally qualified medical officer,

or of a medical officer (though not legally qualified) in established and reputable practice?

5thly. Has the tendency on the part of the poor to seek medical (or other) relief been encouraged or discouraged by the medical arrangement?

6thly. What is the practice in your Union respecting the medical relief of the families of men who are usually in employment at the ordi-

uary wages of the district, and what are those wages for agricultural labourers?

7thly. What is the practice in your Union respecting the medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?

8thly. Is it the practice in your Union for aged and infirm persons, or others who are habitually in the receipt of out-door relief, to apply for an order for medical relief before the medical officer of the district attends them, or does the medical officer admit them as patients without such order?

9thly. Can you suggest any improvement in the medical arrangements of your Union?

1st. As to the size of the districts.

2ndly. As to the establishment of a pauper list.

3rdly. As to the mode of payment of medical officers.

4thly. As to any of the forms of medical registers.

5thly. As to the form of medical orders given by the Guardians or any of their officers.

6thly. As to the form of medical certificates, or of orders by the medical officers for extra diet, and other necessaries.

10thly. In most of the Unions under my superintendence the duties of the medical officers have been defined as under;—state whether this agrees with the practice in your Union, and if not, state the variance.

“The duties of the medical officers shall extend to affording medical and surgical assistance, medicines, leeches, and vaccination, and all appliances (except trusses) to all such poor persons as the Guardians, or their officers, or other duly authorised person, may order to receive the same.

“Provided always, that in addition to the amount agreed to be paid, as recited in the contract, a fee of _____ shall be allowed where any such officer shall be called in to assist in any case of midwifery.

“And provided also, that in the event of any such officer being called in to attend any pauper under suspended orders of removal, and the parish to which such paupers shall be finally adjudged to belong shall not be under any contract or agreement to afford medical relief to paupers of the hereby contracting Union when under suspended orders in their parish without extra costs, then it shall be lawful for the said medical officer to charge at the same rate and after the same manner as would be charged if a pauper of the said contracting Union were placed under suspended orders therein, whether the said charge shall be by a fixed sum per case, or otherwise.

“Provided always, that, in the event of any appeal against any such charge, the said medical officer shall only be entitled to receive so much as may be adjudged to be paid by the appellant parish.”

If the above contract have been adopted in your Union, what has been the effect of it, and can you suggest any improvement?

I am, Sir, your obedient Servant,

WILLIAM DAY,

Assist. Poor Law Commissioner.

To the Clerk to the _____ Union.

ABSTRACT OF RETURNS TO CIRCULAR—

UNION.	Answer to Query 1.	Answer to Query 2.	Answer to Query 3.	Answer to Query 4.	Answer to Query 5.
ANGLESEY .	By tender; but the Guardians are not bound to accept the lowest tender.	Salary is fixed.	Dissatisfaction at one time arose as to the size of the districts; since when, a new subdivision has been made, securing a resident medical officer in each. There was dissatisfaction, too, on the part of the medical officers as to the mode of remuneration. And sometimes the non-attendance of the officers was complained of by the poor.		The tendency on the part of the poor to seek medical relief is increasing under the new arrangements of the districts.
ST. ASAPH .	Not by tender—at discretion of Guardians.	Salary is fixed by the Guardians in the first instance, and the candidates are subsequently selected.	The medical officers complain of the insufficiency of their remuneration, but are content, notwithstanding, to retain their offices. No dissatisfaction has been expressed, either as to their attendance or efficiency, except against the officers of one district, who have, in consequence, been removed.	No dissatisfaction expressed.	The medical officers think that medical relief is too liberally allowed; and it is generally believed that the Union arrangements have induced more frequent applications from the poor.
BALA . . .	There being only one duly qualified medical man living in the Union when the Guardians contracted, they did not attempt a selection by tender.	Salary is fixed.	No dissatisfaction expressed on any of these points by either the medical officer, the Guardians, or the public.	No dissatisfaction; nor has any inconvenience arisen respecting any of these points.	Has encouraged the poor to seek medical relief.
BANGOR AND } BEAUMARIS }	By tender; but the Guardians not bound to accept the lowest offer.	Salary is fixed.	No dissatisfaction.	No dissatisfaction or inconvenience.	Has encouraged the poor to seek medical relief.
BRIDGNORTH.	Not by tender—at the discretion of the Guardians.	Salary is fixed.	The only dissatisfaction expressed is on the part of some of the medical officers, who think their pay inadequate.	No dissatisfaction.	Has encouraged the poor to seek medical relief.
CARNARVON.	By election.	Salary is fixed.	Dissatisfaction is felt very generally in the Carnarvon district of this Union; some of the parishes, being beyond the Menai, cannot always be reached in stormy weather. The medical officers are dissatisfied with the rate of remuneration, and the poor complain of a want of proper medical attendance.	The Guardians wish to remedy the dissatisfaction referred to in the previous query, relative to the Carnarvon district, by dividing it into separate districts.	Has encouraged the poor to seek medical relief.
CHURCH } STRETTON. }	By tender. The Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	One of the medical officers is dissatisfied with the amount of remuneration. No other dissatisfaction.	No inconvenience sustained.	Has encouraged the poor to seek medical relief.

Mr. DAY'S DISTRICT, Shropshire and North Wales.

Answer to Query 6.	Answer to Query 7.	Answer to Query 8.	Answer to Query 9.	Answer to Query 10.
The families of men in employment are sometimes furnished with medical relief where the Guardians deem it expedient. Ordinary wages of agricultural labourers 7s. to 8s. per week.	Allowed medical relief occasionally.	No person is attended by the medical officers without an order from the relieving officer.	It might be expedient to alter the size of one district; and it seems desirable that the power of ordering medical relief in urgent cases (where the relieving officer's residence is at a distance) should be extended to the next resident Guardian.	The same form of contract has been adopted in this Union lately. What the effect may be cannot yet be told.
Medical relief is given to the families of able-bodied labourers and farm-servants not in the receipt of out-door relief, to a considerable extent.	See reply to the previous question.	In Denbigh district the medical officer attends to all poor persons that apply to him. In St. Asaph district an order is first necessary, unless the case be one of emergency.	None; except that it might be of advantage to insert a column in the register book of sickness and mortality for the names of the parishes to which the pauper patients belong. in midwifery cases. Both the Guardians and the public are highly satisfied with the medical arrangements, and the way in which the officers perform their respective duties.	No specific contracts have been entered into: the understood duties of the officers are, however, of much the same kind as those referred to in the form of contract specified; excepting that there is no fee allowed
Applications from these classes for medical aid are generally complied with. Wages 4s. 6d. with board, 9s. without, in winter; and 5s. with board, 10s. without, in summer.	Allowed medical relief the same as if on the pauper list.	The general practice is to apply to relieving officer for an order; yet instances occur of persons being admitted as patients without such an order.	No improvements to suggest.	The contract referred to is the one adopted here, with one modification; viz. that the medical officer is not bound to apply leeches. The Guardians have nothing to suggest as an improvement on this contract.
There are few, if any, such applicants for medical relief. Wages 9s. per week.	Allowed medical relief.	To apply for an order in the first instance.	Can suggest no improvements.	The contract referred to is the one adopted: 10s. 6d. is the sum fixed for midwifery cases, and it proves highly satisfactory in its practical operation.
Medical relief is afforded in cases where the wages of the applicants do not exceed the average of the district, 9s. to 10s. a week.	Allowed medical relief.	The first attendance of the medical officer is obtained by a formal order; but in subsequent illness the pauper's own application is generally considered sufficient.	Can suggest no improvements.	The contract is for medical relief; with all appliances except trusses, to poor persons resident within the Union, whether having settlements or not. 20s. is allowed in any difficult midwifery case, where surgical assistance is wanted.— Have no improvement to suggest.
If by the want of medical relief the applicants are likely to become altogether chargeable, such medical relief is afforded. Wages average about 9s. a week.	Allowed medical relief.	To apply for an order to the relieving officer in the first instance.	No suggestion to make beyond that referred to under No 4, for a re-construction of the Carnarvon district.	The contract referred to is the one adopted. It might be desirable to compel medical officers to make out certificates of such cases as the Guardians deemed to require aid; as certificates of lunacy, &c.
Where the applicant has a large family, medical aid has been granted. Wages, 9s. to 10s. weekly.	Have medical aid, and, where necessary, wine and meat.	In no case received as patients without an order from the proper officer.	Can suggest no improvement.	The form of contract referred to has been in part adopted. Midwifery cases are 10s. 6d. each. Instead of the last two provisos in the contract, the Guardians recommend that no medical officer charge extra for paupers under suspended orders; but that the contract to attend them in common with the Union poor.

ABSTRACT of RETURNS from Mr. DAY'S

UNION.	Answer to Query 1.	Answer to Query 2.	Answer to Query 3.	Answer to Query 4.	Answer to Query 5.
CLUN . . .	By tender. The Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	The only dissatisfaction expressed has been on the part of a rejected candidate, for the appointment of medical officer, who complains that the person appointed is not duly qualified to practice.	The districts are divided in the best manner possible, to secure the most efficient medical attendance.	Has rather encouraged the poor to seek medical relief.
DOLGELLEY .	By tender; but as the Union was divided for the purpose of medical relief into four districts, and as only four tenders were made, the Guardians were obliged to accept them, however exorbitant.	Salary is fixed.	The Guardians are dissatisfied with the mode of election, and of remuneration. They, the public, and paupers generally, are also much dissatisfied with the attendance and efficiency of the medical officers.	The Guardians could not so divide the district as to secure in each one a resident legally qualified medical officer; but no material inconvenience has been felt in the one where the surgeon is not resident.	Has encouraged the poor to seek medical relief.
DRAYTON . .	By tender, for the year ended May, 1839,—the Guardians accepted the lowest tender in each case, although the terms of their advertisement did not bind them to do so.	Salary is fixed.	Some dissatisfaction has been expressed at the mode of appointing medical officers by tender—it being thought that more efficient services might be secured by adopting a more liberal course. In some few cases of sudden illness, the distance from the extremity of the district to the surgeon's residence has been found inconvenient, though not so materially so as to induce the Guardians to suggest a further subdivision of the present districts.	There is a resident medical officer in three out of the four districts:—the medical officer of an adjoining Union holds the fourth district; whose residence is sufficiently near to obviate any inconvenience.	Has rather discouraged the poor from seeking medical relief,—the investigation into the situation of each applicant being much more strict than formerly.
ELLESMERE .	Not by tender; but elected annually by the Board of Guardians.	Salary is fixed.	No dissatisfaction.	No dissatisfaction.	There does not appear any tendency either to encourage or discourage applicants from seeking medical relief.
FESTINIOG .	By tender; but the Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	Soon after the formation of the Union, the Guardians of one parish objected to the arrangements with one of the medical officers. A fresh arrangement has since been satisfactorily made.	No dissatisfaction or inconvenience.	Has encouraged the poor to seek medical relief.
HOLYWELL .	Not by tender.	Salary is fixed except with respect to vaccination, for which 1s. per case is allowed.	The medical officers have complained of the rate of remuneration for their services; and occasionally the Guardians have been dissatisfied with slight neglects of the medical officers, which are corrected by special resolutions of the Board.	No dissatisfaction or inconvenience.	Has not encouraged the poor to seek medical relief.

DISTRICT, Shropshire and North Wales—continued.

Answer to Query 6.	Answer to Query 7.	Answer to Query 8.	Answer to Query 9.	Answer to Query 10.
<p>The medical officers attend all paupers that are on the parochial list, whether the head of the family is in work or not.</p> <p>Wages 8s. a week—more in harvest with food.</p>	<p>The medical officers invariably attend any pauper in the district on the request of the Guardians or relieving officer; but they do not consider themselves bound to attend people not in the receipt of relief.</p>	<p>The aged and infirm are always admitted as patients, without waiting for an order from the relieving officer.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to has been adopted two years, and is found to answer excellently.</p>
<p>Medical relief is allowed to men [able-bodied or not, whether in the receipt of out-door relief or not] and their families, provided they have, at least, four children to support; but not otherwise.</p>	<p>See answer to preceding question.</p>	<p>The usual course is to procure the usual order from the proper officer; but in cases of great emergency, the medical men do not wait for the order.</p>	<p>As stated in the 4th answer, the Guardians cannot divide the Union into such districts as would appear most beneficial to the poor, for want of <i>resident</i> medical men.</p>	<p>The form of contract referred to has been adopted.</p>
<p>Medical relief to men in the receipt of the average wages of that part of the country is refused, unless in any very especial case, as that of lasting disease in a large family, &c.</p> <p>Wages range from 9s., 10s. to 11s., weekly</p>	<p>The Guardians treat applications for medical relief from this class of persons the same as they would applications for any other kind of relief.</p>	<p>Medical relief is most generally afforded; but not until an order has been obtained from the proper officer.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to has been adopted, and appears to answer every purpose.</p> <p>Midwifery cases 10s. 6d.</p>
<p>Medical relief is frequently granted where the applicant is burdened with a large family.</p> <p>Wages 8s. to 10s. weekly.</p>	<p>Allowed medical relief in cases where the applicants appear to be unable to provide it for themselves.</p>	<p>When the medical officer is aware of the applicant being in the receipt of out-door relief, he attends him without an order.</p>	<p>Can suggest no improvement.</p>	<p>The contract is much the same as the one referred to, save that no allowance is made for midwifery cases, and that the medical officers are required "to attend all sick paupers, resident within his district, who may belong to any other Unions or parishes, in which the Guardians have agreed for their medical officers to attend paupers belonging to this Union, resident in such other Unions," &c.</p>
<p>Medical relief is freely afforded to the families of men in employment, and receiving 9s. to 10s. a week, wages.</p>	<p>Medical relief is always ordered.</p>	<p>An order is always applied for, before their admission in the medical officers' book.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to agrees with the one adopted; not aware that any improvement can be suggested.</p>
<p>Medical relief is not indiscriminately administered to all the families of men in employment at the average rate of wages. But, in cases of extreme poverty, or urgent necessity, those families are considered entitled to the assistance of the Union medical officers. Average weekly wages, 10s.</p>	<p>The Guardians sometimes direct the medical officers to render assistance.</p>	<p>The medical officers do not attend to these habitual paupers, until they are directed to do so by the relieving officers.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to differs from the contracts in this Union, in so far as the medical officers are not bound to vaccinate,—are required to attend all midwifery cases without extra charge,—and are to attend to all paupers under suspended orders.</p>

ABSTRACT of RETURNS from Mr. DAY'S

UNION.	Answer to Query 1.	Answer to Query 2.	Answer to Query 3.	Answer to Query 4.	Answer to Query 5.
LLANRWST .	By tender; but the Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	Very great dissatisfaction has been repeatedly expressed as to the attendance or efficiency of the medical officers.	See reply to the previous question.	They seek medical relief from other practitioners than the medical officers of the Union.
MACHYNL- LETH . }	By tender; but the Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	No dissatisfaction.	No dissatisfaction.	Has encouraged the poor to seek medical relief.
MADELEY . .	By tender. The guardians have always selected the lowest offer.	Salary is fixed.	Dissatisfaction has been expressed with the system of electing medical officers by tender, and with the extent of remuneration.	No Dissatisfaction.	Has <i>probably</i> discouraged the poor from applying for medical relief. It is, however, a difficult question to answer very accurately.
NEWPORT . . (SALOP)	The Guardians, in all instances but one, have fixed the salary. On one occasion they elected a medical officer by tender, but did not bind themselves to accept the lowest offer.	Salary is fixed.	No dissatisfaction except on the part of the medical officer of the district in which the workhouse is situate, who complains that women pregnant with illegitimate children have too great facilities afforded them of admission to be delivered, &c., in the workhouse.	No dissatisfaction. The districts could not be more satisfactorily divided.	Has encouraged the poor to seek relief.
NEWTOWN AND LLANIDLOES	At the commencement of the Union, the medical officers were selected from the lowest tenders; but, since that time, some change has taken place among the medical officers, and an advance in their remuneration.	Salary is fixed.	Dissatisfaction has been privately, but not officially, expressed, relative to the smallness of the remuneration afforded; but the medical officers continue their engagements, even at a sacrifice, rather than risk the introduction of other medical men.	Until the workhouse is completed, no better arrangement of the districts could be made; but the Guardians contemplate a change ultimately.	Has encouraged the poor to seek medical relief.

DISTRICT—Shropshire and North Wales—*continued.*

Answer to Query 6.	Answer to Query 7.	Answer to Query 8.	Answer to Query 9.	Answer to Query 10.
If the particular circumstances of the case seem to require it, medical relief is ordered.	They are attended by the medical officers, by order of the Board.	Attendance is given to every pauper whose name is on the out-relief list, without any order being required.	The Weekly Return Book, schedule E, from 28, is deficient in not having a column wherein to insert the name of the parish to which the patient belongs.	The duties of the medical officers of this Union have been defined as under:— “The duties of the medical officer shall extend to affording medical and surgical attendance in cases of sickness, accident, and midwifery, together with all necessary medicine, leeches, and appliances (except trusses), which may be required for all paupers within his district, whether belonging to the place in which he resides or not.”
Medical relief is given to all, whether paupers or not. Ordinary wages, 1s. 6d. per diem.	Medical relief is given.	The usual course is to make application to the relieving officer for an order.	Can suggest no improvement.	The form of contract referred to is the one adopted in this Union.
Medical relief is afforded where the earnings are deemed too small to enable the labourer to make suitable provision for his family in case of illness. Wages average 8s. to 11s. weekly.	The circumstances of the applicant are very strictly investigated; and, if found to be inadequate to meet the emergency, medical aid is afforded.	In new cases an order must first be obtained; but where a pauper has already been upon the medical list, the medical officer re-admits him as a patient without an order.	Pointing out a difficulty in preparing a pauper list for the medical officers' guide, in consequence of medical relief being extended to others besides recognised paupers. Suggesting that the payment of a certain sum per head for each pauper attended might prove more satisfactory than the present system.	The form of contract referred to nearly corresponds with the practice of this Union. “Midwifery cases, and cases under suspended orders of removal, to be taken, when required, by an order in writing from the relieving officer, or other competent authority, at 10s. 6d. each.”
The parties authorised to give medical orders supply them to almost every applicant. Wages 8s. to 10s. weekly.	Medical relief is given as long as it is required.	In all cases where the applicants are known to be in the receipt of out-relief, the medical officers attend them without an order.	It would be of service that a list of the names of all persons receiving medical relief should be posted up in some conspicuous place at the end of every quarter, by way of deterring improper parties from obtaining such relief. A salary the best mode of remunerating medical men. The medical man, being the best judge of the diet and other necessary indulgences to invalids, is the person in whose hands such matters should be left, without the necessity of any form of medical certificate or order.	The form of contract referred to has been adopted with success, except that no fees for midwifery are allowed. The only alteration that this form of contract seems to require is, that, besides the exception in the case of trusses, should be added “any instrument or apparatus required to be permanently worn by the patient.” And that fees for midwifery cases in the workhouse should be allowed as well as out of the house.
If receiving out-relief, and in need of medical relief, an order is never refused. Weekly wages, 8s. to 9s. without food; 3s. 6d. to 5s. with food.	If considered too poor to provide it themselves, an order for medical relief is granted.	The medical Officers do not refuse to attend the poor without an order; but if one be not brought in the first instance, they require it to be obtained afterwards.	Can suggest no improvement.	A contract similar to the one referred to has been obtained, and no objection has been raised.

ABSTRACT OF RETURNS from Mr. DAY'S

UNION.	Answer to Query 1.	Answer to Query 2.	Answer to Query 3.	Answer to Query 4.	Answer to Query 5.
PWLLHELL .	By tender: but the Guardians do not bind themselves to accept the lowest offer.	Salary is fixed.	The Guardians at one time complained that the remuneration was too great, but nothing has been said of late upon the subject. One of the medical officers is not a member of the College of Surgeons, or a licentiate of Apothecaries' Hall; and complaints have been made by a portion of the public, and by the poor, for the want of skill and attention on his part.	Some of the Guardians have been constantly wishing to make the districts less; but they cannot be so formed as to secure, in such case, a resident medical officer of the proper description in each district.	Has rather encouraged the poor to seek medical relief.
RUTHIN . .	Not by tender.	Salary is fixed.	No dissatisfaction has been expressed, beyond a desire on the part of the medical officers themselves for a more liberal remuneration.	No dissatisfaction or inconvenience.	Has not encouraged the poor to seek relief.
WELLINGTON (SALOP)	Originally by tender: the same officers have been continued by mutual agreement. The Guardians did not bind themselves to accept the lowest offer.	Salary is fixed.	No dissatisfaction.	No dissatisfaction.	No change in this respect perceptible.
WEM	Appointed by public advertisement, which specified the amount of salaries to be given.	Salary is fixed.	No dissatisfaction.	No dissatisfaction.	Has encouraged the poor to seek relief.
WIRRAL . .	Not by tender.	At per case.	The arrangements which were effected by a Committee of Guardians appointed for that purpose at the expiry of the first year after the formation of the Union, have had the good effect of satisfying all classes; and from the locality of the districts, as then fixed, the attendance on the poor appears to be well arranged.	See answer to the preceding question.	Has encouraged the poor to seek relief.
WREXHAM .	Not by tender.	Salary is fixed.	Some dissatisfaction has been expressed with the extent of the medical districts, and the amount of remuneration. An alteration has been privately made in certain of the districts, and the Guardians have agreed to increase the salaries of the medical officers of three districts.	See answer to the preceding question.	Has encouraged the poor to seek medical relief.

DISTRICT—Shropshire and North Wales—*continued*

Answer to Query 6.	Answer to Query 7.	Answer to Query 8.	Answer to Query 9.	Answer to Query 10.
<p>Medical relief is generally afforded to all families of labourers. The wages vary from 1s. to 1s. 6d. per diem.</p>	<p>Medical relief is given.</p>	<p>The usual course is to make an application in the first instance to the proper officer, unless the surgeon is aware that the applicant is in the receipt of out-relief already.</p>	<p>As the present medical arrangements of this Union appear more satisfactory than otherwise, no alteration can be suggested that is likely to effect any practical improvement.</p>	<p>The definition of the duties of a medical officer, in the form of contract referred to, agrees with the practice in this Union.</p>
<p>Medical relief is granted where the labourer's family is so large as to render it difficult for him to maintain them, Wages 1s. 6d. per diem.</p>	<p>Medical relief is granted to this class, even if not paupers at the time.</p>	<p>The medical officers only admit paupers as patients on receipt of a note from the relieving officer.</p>	<p>Can suggest no improvement.</p>	<p>The duties of the medical officers agree with those set forth in the form of contract, except that no fees are allowed in cases of midwifery. The arrangements respecting suspended orders of removal are similar, but do not form any part of the contract.</p>
<p>Medical relief is granted where occasion requires. Wages are about 10s. weekly.</p>	<p>Medical relief is granted where occasion requires.</p>	<p>The usual course is to apply for an order in the first instance to the proper officer.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to agrees with the practice of this Union, and no difficulty has thus far presented itself.</p>
<p>Medical relief is almost invariably given to the families of able-bodied men in full employment. Wages about 10s. weekly.</p>	<p>Medical relief is afforded.</p>	<p>The usual course is to apply to the proper officer for an order; but the medical officers frequently admit the aged and infirm as patients without any order.</p>	<p>Can suggest no improvement.</p>	<p>The form of contract referred to has been adopted in the present contracts, and appears to have a good effect. Midwifery cases 10s. 6d. each.</p>
<p>Medical relief is generally afforded.</p>	<p>Medical relief is generally afforded.</p>	<p>The medical officers assist poor persons either on the application of their friends, or on an order from the proper officer.</p>	<p>Can suggest no improvement.</p>	<p>The duties of the medical officers are substantially the same as those defined in the contract referred to, with the exception of the cases of paupers under suspended orders of removal, for which the officer has not yet been allowed to make an additional or separate charge.</p>
<p>Medical relief is always afforded where it appears to be necessary. Wages 9s. to 10s. weekly.</p>	<p>Medical relief is always afforded where it appears to be necessary.</p>	<p>No medical relief is granted, except upon the order of the relieving officers,</p>	<p>The alteration of certain districts, as mentioned in column 3 to have been privately made amongst the medical officers, ought to be an authorized one.</p>	<p>The medical officers attend all poor persons who receive orders from the relieving officers, without reference to their settlement being within the Union; and no extra charge is allowed in cases of suspended orders. In other respects, the contract is the same as the one referred to, and it has worked well.</p>
<p>Great difficulty would exist in making the pauper list compatible with the mode of administering medical relief in use in this Union, which mode, as far as regards the poor, is very satisfactory. In the register of deaths in the workhouse, a column should be given wherein the medical officer should insert the cause of death.</p>				

X.—REPORT of Sir EDMUND HEAD, Bart.—Hereford, Monmouth, Gloucester, &c.

GENTLEMEN,

Malvern, 10th March, 1839.

Your letter of the 21st of February divides itself into two parts. The first requires a statement of the facts connected with the existing system of medical relief; and the second asks for any suggestions which may be made for its amendment.

I have addressed certain queries to those Unions which came under my superintendence so lately as to preclude an accurate knowledge of medical matters; and from the answers to these, and from my own knowledge, I have abstracted the particulars which are digested into the annexed tabular form. Those answers, which are derived from my own general acquaintance with the Unions, and not from communication with the clerk for this specific purpose, are marked with an asterisk.

I will proceed to give the result of the details there exhibited:—

1st and 2nd. Tender has been generally adopted, in the first instance, throughout my district; without it, it was absolutely impossible to say what sum could be offered. In many cases the Guardians have adhered to it as the readiest method of renewing the appointments; in others they have fixed a sum and offered it to the medical men; in others again, viz.—Bromyard, Ledbury, and Ross,—they have substituted a payment by the case, which the Guardians fixed and proposed to the medical officers. At Crickhowell the payment was by the case from the first. If I remember rightly, it was taken by tender at 5s. the case. The following year the Guardians thought this too low, and voluntarily raised it to 7s. 6d.

A pauper list has not been adopted anywhere. Where the salary is fixed it is apportioned as an establishment charge; where it is by the case, it is (with the exception of the workhouse) divided according to the number of cases belonging to each parish.

3rd. Dissatisfaction.

A.—As to the size of the districts.

At the first formation of the Ross Union, a disappointed candidate for the situation of medical officer wrote to Lord John Russell on the extent of the medical districts. On inquiry, it appeared that one of the two Union officers had, before the Union, attended, by separate agreements, a number of parishes, exceeding, by one, that assigned to him under the new arrangement.

At Kingston, a complaint was made last year by one or two *ex-officio* Guardians on the extent of one of the districts. It was too late to remedy it then, and no private arrangement could be effected, although I tried hard to bring it about. At Upton there has been a *well-grounded* feeling of dislike to the size of the medical districts, on the part of the *public*, but the medical officers maintained that they could do their duty perfectly. All causes of complaint will now cease, as I have succeeded in getting the two districts divided into six.

At Cleobury a feeling existed among some of the Guardians, that if medical aid could be obtained from Bewdley (though out of the Union), and the district divided, it would be advantageous. This it proved im-

possible to effect, and the evil is partly met by the medical officers engaging to establish depôts of medicine.

At Monmouth I have heard but very little complaint from any body; but the Board are aware that I have felt it my duty to take steps for breaking up one of the existing districts.

In part of Monmouthshire and the borders of Wales there is just as great apathy on the subject of medical relief as there exists sensitiveness elsewhere.

B.—As to the remuneration of the medical officers.

Every Union in which any debate has taken place on the salary between the Guardians and the medical men, in fact, supplies instances of this. The Board will see what is stated on this point in the tabular form.

C. As to the qualification of the medical officer.

The dispute on Mr. Morgan's case at Hereford is almost the only one of this nature.

D.—As to the mode of appointment.

I am aware of no complaints on this head, unless it be the feeling which some of the medical men entertain against tenders. At Knighton I remember one medical man thought himself very ill used because I recommended the appointment of another whose tender was higher. I was present at the Pontypool Board last March, when the medical officers were reappointed; the officer of the preceding year was elected, although there were two tenders lower than his.

E. Complaints against the attendance and efficiency of the medical officers.

The Board are aware that at Bromyard it was necessary to dismiss a medical officer for neglect. At Cleobury one was advised to resign; and Mr. ———'s case at Kingston need only be alluded to. These are the principal cases of well-founded accusation: generally, I should say that there are very few complaints against the medical men which are in any degree substantiated. I have examined several at different times. In February, 1838, there was a complaint against the medical officer of the Dore Union, for permitting parties to be removed in an improper state. This was clearly refuted. In another complaint against the same officer in May, it appeared that the chief fault lay with the relatives of the pauper. At Pershore, on the 16th ultimo, I attended for the purpose of investigating a case of alleged maltreatment. The pauper (a lad of seventeen) dislocated his elbow, and fractured the condyle: he was attended immediately by the assistant of the medical officer (which assistant was a M. R. C. S.). At the end of three weeks the arm was put in a sling; but the parents, not satisfied with the progress of the cure, took the boy to an old woman who acted as a bone-setter in the neighbourhood: by her directions the arm was taken from the sling in which the surgeon had placed it, and the boy was made to *exercise* it with a weight. The result was, that the boy's arm became perfectly stiff and straight, and at a later period he was sent, in vain, to Worcester Infirmary. But, as no medical man saw the patient till after the intervention of the maltreatment by the old woman, it appears impossible to decide on the original management of the case. I took the examination of the lad's father and mother on oath. The case was brought forward by the Guardian of the parish.

4th. I have observed many facts which make me think that the incautious administration of meat and wine by the medical officers, and the want of discretion in granting medical relief by the Guardians, have a direct tendency to encourage *medical* and *general* pauperism. Instances may be found in another part of this Report (p. 228, 229.)

5th. The practice is generally too lax as to granting medical relief to able-bodied men and their families. Where the number of children is large it cannot, perhaps, be avoided; but due caution will never be used so long as fixed salaries are paid. The burden falls on the medical officer, not on the parish.

6th. The same remark is applicable to the question respecting other parties not paupers. At Hereford, at Bromyard, and at Ledbury, the Guardians have, I think, used a very proper discretion, and withheld medical orders where not absolutely necessary.

7th. It is certainly the general practice for paupers of all classes to apply for orders, but in urgent cases the medical men do not hesitate to attend without. I would refer to a subsequent portion of this Report for a case in point (p. 230, 231.)

It remains, Gentlemen, to consider the improvement of which the whole system of medical relief admits, and to offer such suggestions as my experience may supply. It is impossible to discuss these points without glancing the eye over the complaints which have been urged against the proceedings of the Poor Law Commissioners by the medical profession generally, and by the witnesses before the Committee of the House of Commons.

The first and most important point is to consider whether the rate of remuneration requires a *general* increase.

If any check could be devised which would insure to the poor an increase in the goodness of the article, proportionate to the augmentation of salary, I should strongly advocate a higher scale of payment, but I see none such. I do not find, by experience, that the medical men who are the highest paid invariably do their duty most conscientiously.

On the other hand, we are pressed with the injustice of the present rate of payment, and the necessity for protecting the medical profession. The medical witnesses before the Committee of the House of Commons persisted in viewing the payment for the poor *by itself* and *for itself*. They would not allow that it was fair to take advantage of the indirect payment which accrues by the increase or retention of private practice. But is this rule applicable to other professions? Most assuredly not. To give an instance: an attorney has often spent more in a canvass and election for a coronership than the office itself is worth, merely because it led to an increase of his other business.

As to the necessity of protecting the medical profession against competition, the public can hardly be called on to do *that*. It is the interest of the public, as long as persons think it worth their while to be properly educated, to secure their services at the lowest rate which is compatible with their efficiency. Competition is prevented in other professions by *internal* regulations, not by the assistance of that public who would profit by it. If an architect or a barrister violate the by-laws of the profession, he is treated as one who is not a gentleman. The same remedy is, of course, open to the medical men; but I cannot

see that the public can be expected to protect them from the consequences of the profession being overstocked.

Any reasonable increase, therefore, which will insure the better performance of the duties, the Commissioners are bound to promote and sanction, but they are not bound to keep in view the good of the medical profession.

Another proposition was made by several of the medical witnesses, which I cannot help thinking had in view principally the hindering any interference with private practice; viz., that no one should be appointed medical officer of a Union until he had resided two years in his district. The only pretence for this was, that the general character for humanity would be better known. To secure increased skill it would avail nothing. Dr. Elliotson observes,—“I doubt whether he would be more fit in two years, if he had not had a good opportunity of improving himself by practice, than at the beginning—because he would have so little private practice in the first two years that he would not much improve himself by it; and at the same time he might have forgotten a good deal that he knew when he came from his examination.”—(15,869, *Evidence*.)

The greatest caution is no doubt desirable as to the general character for humanity and morality which a medical man possesses; but if that were to be satisfactorily ascertained in *another* neighbourhood, is he, therefore, to be excluded? The adoption of any such rule as this would amount to a regulation—that a man is licensed as a medical attendant on the *rich* by becoming a member of the College of Surgeons or licentiate of Apothecaries' Hall; but to attend the *poor* two years' residence in a definite spot is required in addition.

So it is with the double qualification. I think *no one* ought to be allowed to practise in the country, whether among the poor or rich, without his diploma as surgeon, and licence as apothecary.

The public generally, not the poor alone, require to be protected against the assumption of a character to skill, which is not possessed by the party. To make a rule, at the present time, that every medical officer of a Union must have the double qualification, would be, in some districts, to prohibit the engagement of any medical man at all.

Again, as to the size of the districts: local differences are so considerable as to offer insuperable obstacles to any *general* rule. It so happened that Mr. Farr, in his most interesting evidence before the Committee, referred to the districts of two or three of my Unions (15,704). He says of the Kington Union, districts 1 and 4—“the area is not given in square miles; but the distance from the surgeon's residence in one direction is only one mile, in another ten miles:”—the fact being that in all that space of ten miles no medical man resided, so that none could be engaged nearer than Kington. The same answer applies to two of the other instances in Leominster and Hereford Unions. No surgeon could be engaged in the district, simply because there was no one duly qualified to engage.

Any general limit as to size, therefore, appears to me impracticable; and I do not see that the Commissioners can go farther than to cause a circular to be addressed to the different Boards, pointing out to them the desirableness of lessening the districts where they are too large, even at a pecuniary sacrifice, and causing their Assistant Commis-

sioners to watch the medical arrangements with a view to prevent any evils of the kind. In my own district I have been engaged lately in promoting the breaking up of large medical districts to the utmost of my power.

I have found that, practically, one of the greatest difficulties, and the most frequent source of bad feeling between the medical officers and the guardians, is the undefined boundary between general and medical relief. The medical officer is empowered to order meat and wine; the guardians, no doubt, do not always appreciate the necessity of better food so strongly as his professional knowledge enables him to do; and, on the other hand, the medical men too often are negligent in inquiring what allowance the party has at the same time. Thus a medical officer in one of my Unions, who was attending a pauper, made the following order at one time, which certainly assumes a power of *general relief*:—

“Mr. THOMAS, Relieving Officer,

“Please to let William Evans have the following articles as he requires them:—

<i>s.</i>	<i>d.</i>	
1	6	worth of bread
2	4	.. meat
0	4	.. potatoes
0	8	.. sugar
0	6	.. tea
1	2	.. butter
1	0	.. cheese
3	6	.. porter, a quart a day.
<hr/>		
11	0	

“May 8, 1839.

THOMAS JACKSON, *Surgeon.*”

On another occasion I was present when one of the medical officers complained that he had been sent for to a frivolous case. Apparently to get rid of the case, and without having seen the woman, he had given the relieving officer a verbal order to afford 2lbs. of mutton. This I recommended to be disallowed in the relieving officer's accounts, on the ground that there was no written order, and I pointed out to the medical man that such a course was calculated to bring fresh burdens upon him in the shape of frivolous applications, not for *medicine*, but for *meat*.

I believe that there is a little disposition on the part of some of the medical men to *encroach* somewhat on the administration of general relief, and to make these orders larger than they need be.

It is most difficult to point out any remedy where the medical authority must be assumed to be the best judge of the need on the part of the patient; but I can see no harm in the Board requesting, in any case where they think the order extravagant, that the medical officer will give detailed reasons in writing, so that they can be entered on the minutes, or submitted to another medical man.

The three modes of payment—by fixed salary, by the case, and by a

pauper list—have each their several advantages and evils, which may be stated summarily.

I.—A FIXED SALARY.

The advantages seem to be—

1. That the payment by the Guardians, and the receipts of the medical men, are certain, both knowing what they have to calculate on.

2. That the medical relief is administered pretty freely, orders are readily given, and there is less scruple in attending cases without an order.

3. As new cases are a mere burden to the medical officer, and no profit, it is his interest to promote medical clubs, and to discourage a recourse to the rates. He is not, therefore, so likely to order wine, meat, &c., as that would induce persons to become medical paupers.

On the other hand—

1. The payment does not vary with the work done; a year of epidemic, or of general good health, does not bring its corresponding increase or diminution in the remuneration to the medical officer.

2. With regard to the freedom with which medical relief is administered, very great error exists on the subject, from the fact that humane persons look only to the immediate need of such relief, and not to its consequences. Mr. Farr (*Evidence*, 15,787) says “It cannot lead to the same abuse as relief in aid of wages, or as relief afforded where the labourer is out of work.” This is, to a certain extent, true; but medical relief is the inlet through which the habit of pauperism first creeps into a poor man’s house: it is the ready introduction to permanent pauperism and deception. In support of this view, I would refer the Board to one of the answers of the Abergavenny elerk, in the annexed table, in reply to my question—“Is medical relief generally given to other parties not otherwise paupers?” He says—“It very rarely happens that a person who receives medical relief does not also very shortly receive other relief.” Of course, where medical relief is very strictly administered, this must be more or less the case; but where, as at Abergavenny, it has, I regret to say, been laxly given, it is a strong illustration of its evil consequences.

3. In addition to the evils of a too free distribution of medical relief to the recipients, there is in many Unions an injustice committed on the medical man, who is called on to attend parties above the condition of paupers. Only on Monday last, at the Martley Board, a complaint of this kind was made by a Guardian, and apparently with very good reason. While a fixed salary is paid this will never be checked. No overseer, and few relieving officers, will take the responsibility of refusing a medical order, which costs the parish nothing, simply on the ground that the man can probably pay for it. While this arrangement continues, it is in vain to hope for medical clubs. A partial remedy for the evil remains to be suggested when I come to speak of the form of order to be given.

II.—PAYMENT BY THE CASE.

The principal advantages are—

1. The payments are in direct proportion to the work done, and are more fairly distributed among the parishes.
2. As the cost of the case is charged to the parish to which the party belongs, more caution is used in giving the orders. According to Mr. Farr's statement (15,774), in Devonshire the cases are 50 in 1000 of the population where the payments are per case, and 68 in 1000 where the medical officers receive a fixed salary. Orders, therefore, are given with caution. There is a great tendency to diminish *medical*, and, consequently, *general* pauperism, and medical clubs have a better prospect of succeeding.
3. There is every inducement to get the patients cured as soon as possible; if they are again ill it probably becomes a fresh case.

On the other hand—

1. It is found that parties who ought to receive medical orders will fail to do so if they are paid for singly, and that urgent cases may suffer. In general, where I have seen the case system in operation, I have no reason to think that there was any culpable indisposition to grant orders. The relieving officer and overseer feel that the responsibility of refusal in any *doubtful* case is too great; and the alteration in the form of the tickets, to be hereafter spoken of, might obviate this difficulty in some degree.
2. There is certainly a fear that the medical man will be led to order meat and wine with a view to encourage applications for orders, and increase the number of cases.
3. A facility may exist for "making cases," by discovering maladies in other members of a family, on one of whom the officer is in attendance. This may be obviated, however, by the plan of family orders.
4. The inducement to make an *imperfect* cure. This may be partly met by prescribing that a party must have been reported cured, and have received no fresh orders for thirty days.
5. The Guardians have, in general, great fear of the case system, where it has not been tried. They think they are incurring an indefinite expense, which, however, does not prove to be the case.

III.—PAUPER LIST at a fixed Annual Sum per Head, with Extra Payment for casual cases. Those on the *Pauper List* to obtain Medical Aid without an Order, on every occasion.

The advantages are—

1. The remuneration is sure to amount to a certain sum, and if it go beyond, it is only in consequence of a proportionate increase in the work performed. The distribution of the charge is fair.
2. The poor on the permanent list will obtain medical attendance with very little trouble, and without the previous necessity of getting an

order. The casual cases alone will experience the difficulty, It must, however, be stated that this advantage is not unmixed; many frivolous applications will be made to the medical officer, and many complaints preferred against him, in which it will be impossible to decide whether he has done his duty or not. If an order is given, there is a definite call on him. But is he, on this system, to go on the request of any old woman who may fancy herself indisposed? At present, I believe the thing is on a good footing enough as to this point. I never find that the medical officers refuse to attend *without an order* in *urgent* cases, and they generally require them in ordinary ones. Thus, the other day, the officer of the Martley Union went, at half-past two in the morning, to a poor woman in labour, without the slightest hesitation; of course there was no order. I fear, if any number of persons are told that they are entitled to call for medical advice, as a matter of course, the power will be abused, and I really believe now there is very little cause for complaint.

3. It cannot be the surgeon's interest to encourage feigned sickness by orders of meat and wine among the *permanent* paupers, as he would probably increase the trouble to himself without increasing his salary.

4. There is the same inducement to the Guardians, as in the case system, not to make medical paupers without good grounds; and there is a great inducement also, by diminishing general pauperism, to lessen the number of permanent paupers, and thereby reduce the list of next year. This, no doubt, will act well to a certain extent.

It must be remembered that if the list is made out annually, the end of the March quarter is the heaviest period in the year; and there are probably more paupers on the books then than at any other time.

Against these advantages may be urged—

1. Probably the casual cases (*those in which an order is required*) are the most urgent and dangerous; the delay, therefore (if any), will exist where it is most to be deprecated.

2. The possibility of unreasonable and fanciful calls on the medical man above alluded to.

3. It will be more or less the medical officer's interest to encourage *permanent* pauperism: the larger the pauper-list the higher will be his salary next year, and applications of a casual nature it will be of course his present interest to increase.

4. The great difficulty of defining who are to be reckoned as permanent paupers. Are all on the books to be included? This will take in many which ought to be casual cases. Are they to be all above a certain age? or all above a certain age jointly with those afflicted with chronic disease? This last seems to me the fairest way of framing the list, but I *foresee* that there would be much debatable ground in drawing it up.

On the whole, after carefully weighing the advantages and disadvantages which seem respectively to attach to the mode of payment, I am of opinion that a pauper-list, with additional payments for casual

cases, is the most eligible, especially if accompanied with some such modification as that suggested in considering the form of order to be given.

The workhouse, I think, should be paid by a fixed salary, and be an establishment charge. I have no suggestion to make as to the mode of appointment. I cannot conceive that the rate-payers of each parish would appoint with more impartiality than the Board of Guardians.

On the form of the books kept by the medical officer I beg to offer the following remark:—

1. That the register of sickness and mortality should show the parish to which the party *belongs*, as well as that in which he resides. This is necessary, where the payment is divided parochially, and can be inserted by the relieving officer in the order given by him, or might be filled in by him at certain times. It is very desirable on every account.

2. That, as suggested by Mr. Farr (15,698, *Evidence*), a different mark should be used in the weekly return-book, when the patient was seen at the house of the medical officer, and when at home, distinguishing also those seen by an assistant. This would require four marks, which might be given thus:—

s.	.	.	.	.	Self at own house.
S.	.	.	.	.	Self at the house of the patient.
a.	.	.	.	.	Assistant at own house.
A.	.	.	.	.	Assistant at the house of the patient.

3. That directions for the above marks, or their equivalents, should be printed at the commencement of each book; and it would be particularly convenient if there were also inserted, for the use of the Guardians, a list of the more common diseases and principal bones, with the corresponding English name, or short description. For statistical purposes it is, of course, necessary that the technical names should be employed by the medical officer; but the Guardians naturally feel at a loss, and though the knowledge might not be of much use to them, still it would be more satisfactory if an approximation to the nature of the disease or accident were appended by them.

With regard to the form of ticket: if, as I hope, the recovery of loans become in some degree facilitated in the new Act, a plan might be adopted which would insure medical attendance, at all events, in urgent cases, and not necessarily make a party, capable of paying himself, a burden on the parish or the medical officer, according to the mode of payment. Suppose an agreement were made with the medical man that every case in which he attended by order of a churchwarden or overseer should be considered provisional till the next Board day; that if the Board decided the party to be a fit object for medical relief, then he should be paid for at the ordinary rate per case, or merged in the gross contract, where a fixed salary is paid. If, on the other hand, the Board decided not to allow medical relief, the medical officer should receive, say 2s. 6d., for his provisional attendance; or, at his option, be left to recover his bill.

The form of ticket (which should be the *only* form given to churchwardens and overseers) might be as follows:—

————— UNION.

Parish of _____ [date]

SIR,

Please to visit and supply with Medicine A. B. of the above parish, residing at _____

————— *Overseer.*

Observe.—This medical relief is given as a *loan*, and, unless allowed by the Board of Guardians at their next meeting, the cost will be recovered from A.B., or the medical man will, at his own option, send in his bill.

The only objection I see is, that parties may avail themselves of this means to obtain medical advice at a cheaper rate than they would pay for it by a bill; but by giving the medical man an option as to recovering his bill, if he prefer it, this would, I think, be obviated. As it is, the parish officers do not like to incur the responsibility of refusing an order. On this plan they need not refuse; no evil would follow; every medical order given by them would be separately and distinctly submitted to the Board of Guardians, and be discussed by them. Those who really need medical relief at the public cost would obtain it more readily; those to whom it was improperly given would pay for it afterwards.

I am, &c.

EDMUND HEAD, *Assistant Commissioner.*

To The Poor Law Commissioners.

TABLE annexed to Sir EDMUND

NAME OF UNIONS.	Mode of Appointment; Tender or otherwise.	Mode of Pay- ment—Fixed Salary, Per Case, &c.	Whether any Complaints, and on what points.
GLOUCESTER—			
1. CHELTENHAM .	Tender always.	Fixed salary.	No; but the Guardians are of opinion that one of the parishes should be taken from its present district, and annexed to another.
1. GLOUCESTER .	The system of tender has never been adopted; they have been elected by a majority of the Guardians.	Fixed salary.	None.
3. NEWENT . . .	By tender until the last two years, then continued at the same rate.	Fixed salary.	None of any importance.
4. TEWKESBURY .	Tenders at the first; same officers since continued at the same rate.	Fixed salary.	Complaints have sometimes been made of the size of the Deerhurst district; but, as there is no medical gentleman residing in it, I am not aware that it could be altered with advantage. No complaints have been made of their want of skill, and very trifling complaints have sometimes been made by the paupers of their want of attention.
5. WESTBURY . . .	Always by tender from the formation of the Union.	Fixed salary.	None whatever.
6. WINCHCOMB .	The system of tender hitherto has been adhered to.	Fixed salary.	The medical men have complained of the system adopted in having the medical department open to yearly competition: they say that this compels them to contract at a sum inadequate to their services.
HEREFORD—			
7. *BROMYARD .	Tender originally, then rate of payment fixed and offered.	Per case.	Complaints have been made of the medical men: one medical man was dismissed.
8. *DORE . . .	Tender.	Fixed salary.	Some slight complaints, but, on investigation, not of importance.
9. *HEREFORD .	Tender originally.	Fixed salary.	Of the orders of Meat, &c., and of the conduct of the Board towards the medical men.
10. *KINGTON . .	Tender.	Fixed salary.	Treatment and size of Districts.
11. *LEDBURY . .	Tender originally, now rate per case fixed.	Per case.	None that I have heard.
12. LEOMINSTER .	They have always been selected from tenders.	Fixed salary.	No complaints as to the size of the Districts have been made, but the Medical Officer appointed to the Third District found it occupied more time than he could conveniently spare, and the Guardians consented to appoint another officer for the three of the farthest parishes; but they do not contemplate dividing this District in future.
13. *ROSS . . .	Tender originally, now per case after discussion with the medical men.	Per case.	Some, of extent of District, on the part of the Guardians and the public; one or two of want of attention by the poor, not well supported.
14. *WEOBLY . . .	Tender originally; salary now fixed, & officers re-appointed.	Fixed salary.	None of any importance.
MONMOUTH—			
15. ABERGAVENNY .	Tenders at first, officers since continued at the same salary.	Fixed salary.	No complaints have been made except by the officers themselves, who are continually finding fault with the amount of salary, but still they do not attempt to give up the office.
16. CHEPSTOW . .	Tenders till March, 1838, salaries then fixed and offered.	Fixed salary.	No.
17. *MONMOUTH .	By tender.	Fixed salary.	No complaints; some Guardians think the districts large.
18. NEWPORT . . .	Candidates elected by a majority of the Guardians on the first formation of the Union, re-appointed on the 25th of March last without tender.	Fixed salary.	No.

* See the second paragraph.

ad's Report.

With whom did the Complaints originate?	Is Medical Relief generally given to the Families of Able-bodied Men not receiving other Relief?	Is Medical Relief generally given to other parties not otherwise Paupers?	Are the paupers in the habit of obtaining Medical attendance without a special Order from the Relieving Officer or other authority?
. . .	Frequently.	Frequently.	No.
. . .	Yes.	Yes. Mr. Clutterbuck, one of the Medical Officers, stated some time since that one-third of his cases were of this class.	Yes.
. . .	Yes, when the families are large, or in urgent cases.	Not very generally. Not generally.	Not generally.
. . .	Yes.		No, except in cases of emergency.
. . .	Yes.	Yes.	No.
. . .	No. We have a Medical Club and a subsisting fund in aid of it, which render applications from persons of this class very rare.	No, and for the like reason as last before mentioned.	Yes, there is a case in which the Medical Gentlemen have even refused to attend a pauper for want of such an order.
The Poor through the Guardians.	With caution.	With caution.	Not generally.
The Guardians on the part of the Poor.	Yes.	Yes.	Not generally.
The Guardians and by the Medical Officers.	Cautiously.	Not generally.	Not generally.
In the part of the Public.	I believe so.	Yes.	I believe so.
. . .	With caution.	With caution.	Not generally.
Complaints, as before mentioned.	Generally given to able-bodied men and families when considered proper objects.	Yes, to deserving Paupers.	Paupers are not permitted in the first instance to have Medical Relief without an order from the Relieving Officer, unless in very urgent cases of immediate necessity.
See former answer.	Yes.	Yes.	I believe generally.
. . .	Pretty generally.	Generally.	Not unless in urgent cases, I believe.
. . .	Medical Relief is afforded to all persons who apply for it, unless it appears that the person applying belongs to a Benefit Club which has a Medical Man attached to it.	It very rarely happens that a person who receives Medical Relief does not also very shortly receive other relief.	They are not.
. . .	No, very seldom indeed.	Sometimes.	Never, except in extreme cases.
. . .	Yes.	Yes.	In urgent cases only.
Neither.	When applied for, not refused.	Occasionally.	No, except in cases of emergency.

TABLE annexed to Sir EDMUND

NAME OF UNIONS.	Mode of Appointment; Tender or otherwise.	Mode of Pay- ment—Fixed Salary, Per Case, &c.	Whether any Complaints, and on what points.
MONMOUTH— <i>continued.</i>			
19. PONTYPOOL . . .	By tender.	Fixed salary.	No.
SALOP—			
20. *CLEOBURY MOR- TIMER.	Not by tender; salaries fixed, and advertisements inserted for candidates.	Fixed salary.	1. Districts large. 2. Remuneration, considered small, raised the year. 3. Two complaints of attendance; one officer re- signed.
21. LUDLOW . . .	The system of tender has al- ways been pursued, but the lowest has not always been accepted.	Fixed salary.	Complaints of want of attention have been made which, on being investigated, proved ground- less.
WORCESTER.			
22. DROITWICH.	They were selected after pub- lic advertisement.	Fixed salary.	Yes, as to the attention of one or two of them, but the complaints were either slight or were satisfactorily explained.
23. EVESHAM . . .	At the commencement of the Union they were elected by tender, but each year since they have been re-elected.	Fixed salary.	The Medical Officers complain that their sal- aries are too low.
24. MARTLEY . . .	The system of tender has not been adopted.	Fixed salary.	It has been considered that the districts are present too large.
25. PERSHORE . . .	The system of tender has been invariably adhered to.	Fixed salary.	Two complaints have been brought before the Board as to the Medical Officers' want of atten- tion and skill.
26. TENBURY.	The medical officers of this Union have always been se- lected by tender.	Fixed salary.	None at all.
27. UPTON . . .	The system from tenders has always been pursued up to the last appointment, but is now abolished.	Fixed salary.	None.
28. WORCESTER. .	Elected at commencement of Union, and not re-appoint- ed since.	Fixed salary.	None returned.
BRECKNOCK—			
29. *CRICKHOWELL.	By tender originally,	Per case.	None that I have heard of.
30. HAY. . .	The system of tender has been adhered to in every instance.	Fixed salary.	No.
RADNOR—			
31. *KNIGHTON .	By tender.	Fixed salary.	I have heard none.
32. *PRESTEIGNE .	By tender.	Fixed salary.	There was a complaint by the clergyman of the parish in one case.

D's Report:

In whom did such Complaints originate?	Is Medical Relief generally given to the Families of Able-Bodied men not receiving other relief?	Is Medical Relief generally given to other parties not otherwise Paupers?	Are the Paupers in the habit of obtaining Medical attendance without a special Order from the Relieving Officer, or other authority?
. . .	Only in cases where able-bodied men are unable to obtain Medical Relief on account of poverty.	Yes, as before stated.	No.
Some of the Guardians. By the Medical Officer. On the part of the Poor.	Generally.	Generally.	In urgent cases only.
In the Poor and individual Guardians.	Yes, when the weekly earnings of the families do not exceed 14s.	Yes, when the weekly earnings of the families do not exceed 14s.	Only in cases of great emergency.
The Poor.	Yes, to a liberal extent.	Yes, to those bordering upon pauperism.	Yes, in cases of emergency, or in the night-time, but not otherwise.
. . .	Occasionally to deserving characters.	Occasionally.	The Medical Officers are not compelled to attend unless they receive a special order from some competent authority; but they frequently attend without an order.
As to the size of the Districts, by the Guardians, on account of the distance paupers have to go to consult the Medical Officers; private arrangement made in one district by which a subdivision is effected.	If the parties apply to the proper authority for medical relief, they generally receive an order for the Medical Officer to attend them, and the case is reported at the next meeting of Guardians; and if the Board should be of opinion that the applicant is not a proper object for medical relief, a letter is sent to the Medical Officer to that effect.	. . .	Orders are generally given by the proper authority.
One instance by public enquiry; the other, by the mother of a boy who was mangled in consequence of a broken arm: nothing was proved in either case.	Certainly not.	Never.	The Medical Officers generally expect an order from the Relieving Officer or Guardian of the parish.
. . .	Very frequently.	Yes.	They are occasionally.
. . .	Yes, if they are deemed proper objects to receive it.	Yes.	Never, without an order from the Relieving Officer or other competent authority.
. . .	In many cases.	Not generally.	No, except in cases of emergency.
. . .	Most of the workmen at the iron-works are in clubs. The cost of medical relief is very small.	. . .	I believe not generally.
. . .	Yes, where the applicants are poor, or have large families.	No.	Not in any case.
. . .	I believe it is.	Yes.	In urgent cases.
. . .	I believe it is.	Yes.	In urgent cases.

XI.—REPORT of MR. CLIVE—Norfolk and Suffolk.

GENTLEMEN,

Norwich, March 16th, 1839.

Herewith I forward you a Tabular Form, from which the opinions of those gentlemen in my district, who have directed their attention to the operation of the Poor Laws, may be collected.

The communications from which this form has been drawn up have, in almost every instance, been furnished by the Chairman, and submitted to the Board of Guardians.

They are to be relied upon, and answers to the 1st, 2nd, 3rd, 4th, 6th, 7th, 8th, 9th, and 10th questions; the 5th, 11th, and 12th have not, I apprehend, received much consideration.

As a general summary, it may be said—

1. That the most competent medical officers, who are willing to undertake the duties, have in general been selected; that the system of tender has only been adopted in two Unions, and in these there is no disposition to recur to it.

2. That the medical officers are universally paid by a fixed salary.

3 & 4. That in some cases dissatisfaction has been expressed by the poor, the public, and the Guardians, as to the size of districts; but that such complaints have been already to a great extent attended to, and the districts (as far as the nature of the country would allow) been reduced in size. In the few cases in which this has not been done, the greatest readiness exists, on the part of the Guardians, to enter immediately upon the consideration of the best mode in which an alteration can be effected.

That there have been complaints of the insufficiency of salaries on the part of the medical officers; but I believe such complaints to be founded, rather on the profusion with which orders are granted in some Unions, than on any real inadequacy of the salaries, as a remuneration for the attendance on those who are actually destitute.

That other complaints have been rare, promptly inquired into, and, in the majority of cases, proved to have been unfounded.

5th. In answer to the 5th question, I would state that, in my opinion, the existing medical arrangements have a direct tendency to the encouragement of pauperism.

The general feeling on the part of the poor, that the medical man is paid to attend the whole labouring class: on the part of the Guardians, that this is the least objectionable mode of relief, as well as one, in the granting of which they are not likely to be imposed upon; and on the part of the overseers, that a medical order is no expense to the parish; all tend to increase improperly this mode of relief.

It is forgotten that medical relief is the connecting link between independence and pauperism, and that it is frequently sought as a means of obtaining an allowance.

On the other side, it is said, that the apprehension of the medical officers as to the orders which may be granted, induces them to use every effort to urge the labourers to become members of medical clubs.

In the Mitford and Lamditch Union, I am told that this result has actually taken place, but I question much the cause to which it is ascribed.

It will be found that in those Unions in which medical clubs chiefly flourish, the Guardians are most strict in granting orders for medical relief.

It is clear that the cause which acts on the labourer's mind is the improbability of obtaining an order; without this feeling no persuasion of the medical man would be of any avail. I am satisfied, therefore,

that, in proportion as facilities are afforded for retaining this, the last hold upon the poor-rate, the labouring classes will be less likely to provide for themselves.

Upon this point Mr. Barclay, Vice-Chairman of the Plomesgate Union, observes :—

“ Shortly after the formation of the Union, a medical club, comprising more than half the parishes of the Union, was set on foot, but fell to the ground, partly from want of support by the employers of labour, and more from the facility with which the Board granted medical orders to labourers working at full wages. This facility has occasioned remonstrances from the medical men, that their lists are swelled by improper objects.

“ The labourers, and even those a step above them, have hesitated so little to avail themselves of aid of this nature at all times, that in my opinion no encouragement was required to induce them to obtain it.

“ The facility of the Board, which I have alluded to above, increased during the last year, has drawn upon them, as I believe, many applications for relief generally, which they would otherwise have escaped.”

And Mr. Calvert, chairman of the Cosford Union, says,—

“ The principle of withholding out-door relief to able-bodied persons is an inducement, no doubt, to many, to obtain in the first instance an order for medical relief, in order that they may then have a better chance of out-door relief on application to the Guardians.”

He adds :—

“ Where the medical man is unpopular, the poor are more ready to join medical clubs ;”

or, in other words, where the dislike to the medical man outweighs the wish to obtain attendance at the expense of the parish, they begin to think of providing for themselves.

And Mr. Clissold, *ex-officio* Guardian of the Blything Union, who has given the subject his closest attention, and has lately introduced a new system of medical relief, states :—

“ The present system has a direct tendency to promote pauperism : generally an independent labourer or a member of his family falls ill. In the absence of the relieving officer, application is made to the overseer ; the ability of the labourer to provide relief for himself is rarely, if ever, inquired into ; the charge for medical relief is an establishment charge ; therefore the overseer will save himself trouble, and give the relief ; for it makes no present nor direct addition to rates that he can see or handle ; and in the same way it is also regarded by the majority of the Board, and therefore no sufficient examination of the weekly cases on the register is made in respect of medical relief.”

This mode of destroying the independence of the labourer being so attractive to the farmer, whether in his capacity of guardian or overseer, on account of its apparent humanity and economy, (the argument that timely medical relief may prevent ultimate disability, and consequently permanent pauperism, being irresistible so long as such relief comes directly out of the pocket of the medical officer,) an alteration of system is, in my opinion, desirable ; and the only practical alteration which I can suggest, is the establishment of a pauper list. On this point Mr. Barclay observes :—

“ I prefer the establishment of a pauper-list, and the payment of each case attended, to the present system. I would have the charge for medical attendance thrown on the same quarter as other relief, viz., on the respective parishes. The medical officers to be appointed annually ; and on their appointment every year, a new contract to be

executed. The principle of the remuneration should be that the medical officers should be paid well for the permanent list, and sparingly for the extra cases."

I must, however, admit that these views, partly, perhaps, from want of consideration, and partly from apprehension of practical difficulties, are not adopted by many of my correspondents. To the medical men, I am disposed to think a pauper-list would be generally satisfactory.

A plan has been recently framed by an *ex-officio* Guardian of the Blything Union, which, if sanctioned by you, will shortly be adopted. It is founded on the principle of a pauper-list, while the paupers are allowed to select their own medical attendants. That portion of the plan, however, by which this latter object is effected, depends upon the formation of a medical association, and an audit committee, which would be out of the question in many Unions. The division, too, of a given sum, set apart for the medical relief of the Union, among the practitioners according to the number of tickets, and these again having reference to the classification of patients, will, I should apprehend, give rise to confusion and discussion; still, however, judging from the zeal with which the matter is taken up by Mr. Clissold, and other Guardians, there is, I think, a chance of success in the Blything Union.

From personal observations, as well as from the answers of many of my correspondents, I have no doubt that considerable irregularities prevail in the weekly returns made by the medical men to the Boards of Guardians.

The Rev. F. Calvert, chairman of the Cosford Union, says:—

"The weekly reports are neither very full nor very satisfactory; the medical officers declare that it would be worth their whole salary merely to keep such books as are required by the Poor Law Commissioners. Medical practitioners in the country almost live on horseback, and hence they would at any time rather visit a patient, even at some distance, and give him medicine, than sit down methodically to register his case. One instance has occurred of a certificate of illness having been granted to a pauper from the mere representation of a relation, who went to fetch medicine."

Mr. Clissold also observes:—

"The medical officers do not invariably see their patients, or even receive an order to see them, before their names are entered in the weekly medical returns. Evidence of this may be obtained from the Tables compiled from the returns ordered to be made from the medical registers for the use of the Poor Law Committee in the last Session of Parliament. To obtain those returns in the Blything Union, the medical officers were summoned to attend the Board with their registers, and to make up the return at Bulcamp-house from them. But, from the want of accuracy in keeping the registers, it was found to be almost impossible to make any returns at all. By most, if not all, the medical officers, the returns that were at length procured were taken, as nearly as they could be, from the weekly return-book, and not from the registers of sickness and mortality, the use of which the medical officers in general did not understand *then*, neither do they all of them *now* understand them. In some instances that register has not been used at all. It is quite impossible that anything even approaching to accuracy could have been returned from the weekly relief-book: in that book every case is required to be entered weekly, and to be repeated each week until the patient is discharged. Some medical officers enter the cases in the weekly return-book only when the patient is visited; others when physic is given, and the patient is not seen. To

the same effect are two notes addressed to me by the relieving officers:—

“ James James, aged 64, belonging to Frostenden, was ill in the quarter ending 25th December, 1838, received relief, and was reported by Mr. Rudland, surgeon, two weeks after he was at work.

(Signed) “ C. WHITE, Relieving Officer.

“ ‘ 4th March, 1839.’

“ Many cases are reported in the medical officer's books before they are visited by the medical gentlemen.

(Signed) “ WILLIAM FISHER, R. O.

“ ‘ 4th March, 1839.’

“ Abundant evidence to the same effect could be adduced: the same facts have been admitted by the medical officers in my own presence. The present system of medical relief holds out no inducement to the medical officers to keep the registers of sickness with accuracy, neither has the attention of the Board of Guardians been quickened upon the subject by any sensible or tangible interest on their part.”

Complaints are frequent of the weekly returns being meagre and unintelligible; the former from the absence of any statement as to the progress of the disease, the latter from the use of scientific terms. A bottle of medicine supplied to a messenger sent by the pauper is constantly entered as “ Attendance.” One of the medical officers of the Blofield Union, Mr. —, admitted, in answer to my questions, that he was in the habit of entering cases as attended, not only when medicine was given, but in cases when he had never visited the patient at all; the existence, as well as the nature, of the disease being taken on trust from a report of a messenger sent by the pauper.

Further, the medical men are constantly in the habit of justifying large orders of meat and wine, by false accounts given by the paupers as to the actual relief they receive.

To remedy these inconveniences, I would recommend that a column should be added to the medical weekly return, in which the actual amount in money of the relief received by the pauper shall be inserted; such column to be filled up by the clerk.

That the columns headed by the days of the week should be divided, so as to distinguish visits from the supply of medicine; that the column headed “ Observations” should be divided, so as to show the state and progress of the disease, as well as the actual removability of the pauper; and that English names of diseases should be given as frequently as possible.

Name.	Age.	In-door.	Out-door.	Nature of Disease.	Amount of Relief.	The Days of the Week.												Wine, Meat, &c.	State and progress of Disease.	Whether removable or not.	Observations.		
						S.		M.		T.		W.		T.		F.						S.	
						Visit.	Medicine.	V	M	V	M	V	M	V	M	V	M					V	M

I have, &c.

GEORGE CLIVE,
Assistant Commissioner.

The Poor Law Commissioners,
London.

ENCLOSURE I

STATE OF MEDICAL RELIEF

In answer to the Circular

CIRCULAR.	Aylsham Union.	Blofield Union.	Depwade Union.	Docking Union.	Downham Union.
Question 1. How have the Medical Officers been selected, and has the system of tender been in any case adopted?	Election—not tender,	Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.
2. Are the Medical Officers now paid— a. By a fixed salary? b. By the case? c. By a Pauper List? d. Or how otherwise?	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.
3. Has any dissatisfaction been expressed— a. As to the size of the Districts? b. As to the remuneration of the Medical Officers? c. As to their qualifications? d. As to their attendance, or efficiency? e. As to the mode in which they are chosen?	d. One or two complaints as to their attendance.	b. By the medical officers, d. & e. Not generally.	None.	Some little. a. One district reduced lately. d. Notice has been taken of apparent neglect. Now very attentive.	Yes. a. As to size of district—now reduced. d. None of any moment.
4. And if so, has such dissatisfaction arisen, a. On the part of the Poor? b. " of the Medical Officers? c. " of the Guardians? d. Or on the part of the Public?	e. By individual guardians in a few cases.	a. As to the distance from relieving officers—c. But not substantiated.	.	a. Some of the poor are very thankful. d. Only one who is habitually troublesome.	b. Other medical men anxious for employment—all now employed.
5. Have you any reason to suppose that a disposition to seek Medical relief (or relief generally) has been encouraged by the existing Medical arrangements?	No—Medical relief is less liable to abuse than any other.	No.	No.	No.	No.
6. What is the practice respecting the Medical relief of the families of men who are usually in employment at the average wages of the District?	Never refused in very urgent cases. Some are in medical clubs.	Granted generally.	They generally have it.	Granted when the head of the family is disabled, or in very urgent necessity.	Some have it, some are in medical clubs, & some pay for themselves.
7. What is the practice respecting the Medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?	Generally allowed.	Granted.	Granted.	Generally allowed.	In most cases allowed.
8. Do persons who are habitually in the receipt of out-door relief apply for an Order for Medical relief, or does the Medical Officer attend them without an order?	Yes; in urgent cases he does.	With and without orders.	He attends without an order in one district. The guardians prefer orders.	Not attended without an order, except in urgent cases.	Generally with an order.
9. Are the weekly reports of the Medical Officers to the Board sufficiently full, and do they clearly show the state of health of the paupers attended?	No: "unable to work" too often used; insufficient if not false. Diseases should be stated in English.	Yes.	Yes.	Yes; and are very useful in other respects.	Perhaps not.
10. Do the Medical Officers ever enter cases as attended where Medicine only has been sent, and the Pauper has not actually been seen by the Medical Officer?	A few such cases.	They did; but now discontinued.	Yes.	No.	Not to our knowledge.
11. Do you consider any alteration in the Medical arrangements desirable; and, if so, what alteration would you suggest with regard to— a. The size of the Districts? b. The establishment of a Pauper List? c. The mode of payment of the Medical Officers? d. The mode of appointing them?	No; but perhaps the districts might be reduced.	No. c. Union should find trusses.	No.	a. Medical Officers now as near as possible. b. A pauper list might be useful.	a. Districts now reduced from 3 to 2. No sub-officers allowed. b. Not wanted. c. They are paid per head on the population. d. Permanent hospital surgeon; displeased the others.
12. Can you suggest any improvement in the form of Register kept by the Medical Officers; or in the Order issued by the Board of Guardians, or Relieving Officers; or in the form of Certificate given by the Medical Officer, or other practitioner?	Certificate should be more full.	No.	The names of diseases should be in English.	No.	No.

CLIVE'S REPORT.

NORFOLK AND SUFFOLK.

described in the margin.

St. Faith's Union.	Forehoe Hundred.	Freebridge Lynn Union.	Guillemesson Union.	Henstead Union.	King's Lynn Union.	Loddon & Clavering Union.	Mitford and Launditch Union.
Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.	Election—not tender.
Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.
None.	None.	None.	None.	b. By the Guardians in the case of one Medical Officer, since resigned.	None.	None.	b. By the House Surgeon, whose salary is to be increased.
• •	• •	• •	• •	See d 3.	• •	• •	c. From the weekly returns not being properly kept, and of attendance in a few cases.
No.	No.	No.	No.	No.	No.	No.	No: decreased: for many are members of medical clubs, which have increased.
Attended whether pauper or not; but some are in clubs.	According to the seasons.	Granted to large families.	Granted in extreme cases only.	Granted in extreme cases only.	Generally granted.	Granted occasionally, but many are in the medical clubs.	
They have medical relief.	None.	Granted in most cases.	Generally granted.	Granted in extreme cases.	Generally granted.	Generally granted, but closely inquired into.	
Generally without an order.	Order is required.	Generally without an order.	Never attended without an order.	Never attended without an order.	No attendance without an order.	Never without an order.	
Yes.	Generally so.	Generally so.	Yes.	Yes.	Yes.	No; diseases should be in English.	
Yes; but attendance is marked A, medicine only marked M.	Such cases do occur.	In some cases; now less frequent.	No; for medicine and attendance are distinguished in the returns.	Yes.	No.	It is suspected.	
No.	No.	b. A pauper list desirable, but the different duration of cases would cause difficulty.	No.	No.	No.	b.—Not desirable.	
Certificate should be a printed form.	No.	No.	No.	No.	No.	No.	

CIRCULAR.	Swaffham Union.	Thetford Union.	Walsingham Union.	Wayland Union.
Question 1. How have the Medical Officers been selected, and has the system of tender been in any case adopted?	Election—not tender.	Arranged by the Medical Officers themselves: no tender.	Election—not tender.	Election—not tender.
2. Are the Medical Officers now paid, a. By a fixed salary? b. By the case? c. By a Pauper List? d. Or how otherwise?	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.
3. Has any dissatisfaction been expressed, a. As to the size of the Districts? b. As to the remuneration of the Medical officers? c. As to their qualifications? d. As to their attendance, or efficiency? e. As to the mode in which they are chosen?	a. Size of districts complained of, but remedied as far as possible.	None.	None.	None.
4. And if so, has such dissatisfaction arisen, a. On the part of the poor? b. „ of the Medical Officers? c. „ of the Guardians? d. Or on the part of the public?	See 3 a.	. . .	. . .	. . .
5. Have you any reason to suppose that a disposition to seek medical relief (or relief generally) has been encouraged by the existing medical arrangements?	Encouraged by not confining medical relief exclusively to paupers.	No.	No.	Unaffected by them.
6. What is the practice respecting the Medical relief of the families of men who are usually in employment at the average wages of the District?	Generally granted.	Generally refused.	Granted in a few cases, but clubs general.	In the absence of clubs, not withdrawn.
7. What is the practice respecting the Medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?	Generally granted.	Generally granted.	Granted in urgent cases.	Granted to vent more extensive relief.
8. Do persons who are habitually in the receipt of out-door relief apply for an Order for Medical relief, or does the Medical Officer attend them without an Order?	In the first instance by an order, except in urgent cases.	Attended frequently without an order.	Without an order.	Without an order.
9. Are the Weekly Reports of the Medical Officers to the Board sufficiently full, and do they clearly show the state of health of the paupers attended?	In general satisfactory.	Yes.	Yes.	Yes.
10. Do the Medical Officers ever enter Cases as attended where Medicine only has been sent, and the Pauper has not actually been seen by the Medical Officer?	Generally not, but there are exceptions.	This has happened, but the Board requested the Medical Officer to insert "Medicine."	No.	They did formerly, but now discontinued.
11. Do you consider any alteration in the Medical arrangements desirable; and if so, what alteration would you suggest with regard to a. The size of the Districts? b. The establishment of a Pauper List? c. The mode of payment of the Medical officers? d. The mode of appointing them?	a. Might be reduced, but difficult from the nature of the country.	No.	No.	No.
12. Can you suggest any improvement in the form of Register kept by the Medical officers; or in the Orders issued by the Board of Guardians, or relieving officers; or in the form of Certificate given by the Medical Officer, or other practitioner?	No.	No.	No.	Supplemental report of paupers cured has been required by Board of Guardians.

FOLK AND SUFFOLK—continued.

Yarmouth Parish.	Blything Union.	Bosmere and Claydon Union.	Cosford Union.	Hoxne Union.	Mildenhall Union.	Plomesgate Union.
Election—not tender.	Tender—lowest not accepted.	Election—not tender.	Election—not tender.	Election—tender at first attempted.	Election—not tender.	Election—not tender.
Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.
For an increase of salary, which has been granted.	<i>d.</i> None officially to the Board, but some expressed to the Assistant Commissioner in one case.	None.	<i>a.</i> Extensive reductions desirable. <i>b.</i> Complaints at first, not now. <i>d.</i> Two or three unfounded complaints.	None.	None.	<i>b.</i> Yes, and also as to the trouble of making returns, and to orders improperly given by overseers.
One unfounded complaint.	As above.	. . .	<i>b</i> and <i>d</i> as above.	. . .	. . .	<i>b.</i> As above. <i>d.</i> Yes, at one factious parish meeting.
Yes; but this is avoidable in a union.	Yes.	No!	No, but is sought as a prelude to other relief.	Yes; the special diet, &c. has that tendency.	No, for there are several medical clubs.	Decidedly, from the facility with which it is granted.
As to the hospital and dispensary, to avoid re- generally.	It has been ordered.	Always granted.	Allowed after the fourth child, and in urgent cases.	Generally granted in the case of large families and continued sickness.	Granted only in the case of large families.	Granted to such extent the medical clubs failed.
As to the hospital and dispensary.	Generally granted.	Always granted.	Generally granted.	Granted in continued sickness.	Granted.	Granted.
Order required, except in urgent cases.	Both with and without an order.	Not attended without an order.	An order is required. Many are members of clubs.	With an order in the first instance.	An order is required.	An order is required.
Yes.	Sufficiently full to enable the Board to grant relief.	Yes.	Neither very full nor satisfactory.	Yes.	Yes.	Not as to the state of health.
No.	Cases are supposed to have occurred.	No.	One instance of certificate without a visit, noticed by the Board.	Yes; and medicine and attendance are distinguished by the marks + and —.	Not that we are aware of.	They did so, but this was checked.
No.	Extensive alterations are now in progress.	No.	<i>a.</i> Better if a fourth district could be formed. Much difficulty as to vaccination.	<i>b.</i> A pauper list highly objectionable, except in the case of continued pauperism, from old age or irremediable infirmity.	No.	<i>a.</i> Adjustment is necessary. <i>b.</i> Pauper list desirable. <i>c.</i> & <i>d.</i> By annual contracts.
Is disease here stated in England. Probable duration of the disease should be noted among observations.	Answer in No. 11 applies to this also.	No.	No.	No!	No.	Column, stating "Amount of relief," and whether removable or not, should be added.

Enclosure in Mr. CLIVE'S Report, NORFOLK AND SUFFOLK—continued.

CIRCULAR.	Stow Union.	Sudbury Union.	Thingoe Union.	Wangford Union.	Woodbridge Union.
Question 1. How have the Medical Officers been selected, and has the system of tender been in any case adopted?	Election—not tender.	Election—not tender.	Election—not tender.	Tender—lowest not accepted.	Election—not tender.
2. Are the medical officers now paid, a. By a fixed salary? b. By the case? c. By a Pauper List? d. Or how otherwise?	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.	Fixed salary.
3. Has any dissatisfaction been expressed, a. As to the size of the Districts? b. As to the remuneration of the Medical Officers? c. As to their qualifications? d. As to their attendance, or efficiency? e. As to the mode in which they are chosen?	a. Yes, but alterations made. b. Yes. d. A few cases—only one established.	a. In large districts sub-officers allowed. d. Complaints rare and immediately inquired into.	Some complaints, but frivolous. a. Districts too large, but alterations in progress.	b. Yes. d. In one case only. c. Great objections to tender.	a. One parish requested to receive medical relief from which, which has been granted because far from the Union surgeons.
4. And if so, has such dissatisfaction arisen, a. On the part of the Poor? b. „ of the Medical Officers? c. „ of the Guardians? d. Or on the part of the Public?	a. As above; see 3 d. b. Of insufficient remuneration, and duties not properly defined. c. As above, 3 d.	Only as above.	Only as above.	b. As to amount of salary. d. Nearest medical man not always appointed.	c. In the above case only.
5. Have you any reason to suppose that a disposition to seek Medical relief (or relief generally) has been encouraged by the existing Medical arrangements?	No.	Abuses may arise on this point.	No.	Perhaps so, in a small degree.	No.
6. What is the practice respecting the Medical relief of the families of men who are usually in employment at the average wages of the District?	Generally granted.	Granted where unable to pay. Guardians too liberal in medical orders.	Granted to large families unable to pay.	Almost always granted.	Granted to large families.
7. What is the practice respecting the Medical relief of persons not being able-bodied men, and who are not otherwise in the receipt of out-door relief?	Granted where necessary.	Granted as above.	Granted, if unable to pay.	Generally granted.	Granted or refused, according to circumstances.
8. Do persons who are habitually in the receipt of out-door relief apply for an Order for Medical relief, or does the Medical Officer attend them without an order?	Rarely without an order.	Both with and without an order.	An order is required, except in cases of urgency.	With an order, unless the case is urgent.	Generally without an order.
9. Are the weekly reports of the Medical Officers to the Board sufficiently full, and do they clearly show the state of health of the Paupers attended?	Not very clear; English necessary.	They do not show the state of health. Too technical.	There have been complaints; now very regular.	Generally so.	Not clear. See 10.
10. Do the Medical Officers ever enter Cases as attended where Medicine only has been sent, and the Pauper has not actually been seen by the Medical Officer?	Yes.	There were such cases, but checked.	No.	There are cases so entered.	Yes; but has ordered attendance and medicine to be discontinued.
11. Do you consider any alteration in the Medical arrangements desirable; and, if so, what alteration would you suggest with regard to a. The size of the Districts? b. The establishment of a Pauper List? c. The mode of payment of the Medical Officers? d. The mode of appointing them?	a. The districts should be smaller. c. Vaccination should be included in the salary.	No; a contract would be very objectionable.	a. Yes; but alterations are in progress.	Medicine should be provided for the house. Alterations required in the mode of payment and election.	No.
12. Can you suggest any improvement in the form of Register kept by the Medical Officers; or in the Order issued by the Board of Guardians, or Relieving Officers; or in the form of Certificate given by the Medical Officer, or other practitioner.	Medicine and visits should be distinguished.	Medicine and visits should be distinguished.	Column stating whether able to work.	No.	No.

XII.—EXTRACT FROM MR. REVANS' REPORT—North and East Ridings of Yorkshire.

Scarborough, 7th March, 1839.

The medical officers of this district are, like all other officers, elected. A salary is first fixed by the Guardians for the whole Union. A committee is then chosen to divide the Union into districts, and to apportion the salary to attach to each district. In most cases the salary includes attendance upon all paupers, whether settled in the Union or not, and also cases of midwifery. In some few cases, midwifery is paid for per case, the allowance varying from 7s. to 10s. Provided he is a qualified person, and bears a good moral character, the medical practitioner who is most conveniently placed is appointed to the district.

I never heard any objection made to the size of the districts. Two complaints have been made by Guardians of inattention on the part of medical officers, but in neither case was the charge substantiated. And these were the only complaints I have heard.

It is understood between the Guardians and the medical officers, that the latter shall attend any person to whom the Guardians grant an order. Generally, however, the medical officers attend without an order, when they consider the party is unable to pay for medical assistance. And I have generally perceived the Guardians to be unwilling to grant an order, unless it is clearly shown that the person applying is too poor to provide himself with medical attendance.

The best system of medical relief will be effected by the establishment of medical clubs; and as I have brought the Guardians throughout this district to consider such establishments desirable, I expect that they will be made very general during the next summer.

XIII.—COLONEL WADE'S REPORT—Cambridge, Essex, parts of Herts, Huntingdon, &c.

GENTLEMEN,

March 15th, 1839.

In compliance with the request conveyed to me in your circular of the 21st ultimo, I have the honour to forward a Report "on the system of administering medical relief to the poor" in this district, accompanied by—

1. An abstract of the answers received from the several Boards of Guardians to the queries (1 to 7 inclusive) proposed in your letter,—
2. An analysis of that abstract,—and
3. A Table, showing the medical arrangements for the years ending 25th March, 1838 and 1839, in the Unions under my superintendance up to the 1st October last.

I have, &c.

T. F. WADE,
Assistant Poor Law Commissioner.

To the Poor Law Commissioners.

I.—*Selection of Medical Officers.*

1. In most of the Unions in this district the system of open tender was in the first instance resorted to; there were, however, many exceptions. In some Unions, on the invitation of the Guardians, the several

medical men of the Union shared amongst them the parishes most conveniently situated for their attendance respectively, on the basis of the remuneration given for medical relief during the three last years; whilst, in others, the parishes were offered to the several medical gentlemen residing in the neighbourhood, and accepted by them, on terms differing from, but having in general some reference to, the amount of the former salaries.

2. "Open tender" is now fast disappearing, and in the great majority of the Unions, the practice has obtained, and is not, I conceive, likely to be again disturbed, of re-appointing the same officers annually; nor must it be understood that when, in the accompanying abstract, "By tender" is inserted under the head of "Mode of selection," that competition, as to the amount or terms of remuneration, is thereby always meant to be conveyed,—the fact being that in many Unions where this reply is given, the Guardians, having themselves first fixed the terms, have offered them, not by "public advertisement," but by "circular," to all the duly licensed medical practitioners in the Union, inviting competition only in respect of the several parishes or districts.

II.—*Mode of fixing and apportioning the Salaries.*

I. In this district there exist at present contracts—

1. By fixed salary.
2. „ „ with medical club.
3. „ „ with pauper list and medical club.
4. At per case.
5. „ „ and pauper list.
6. „ „ and independent club.
7. By pauper list.
8. „ „ and independent club.

(For the numbers under each head *vide* Analysis, column 2.)

On the first formation of the Unions, the simple "Fixed Salary" was the general mode of payment adopted; but in more than one-half of them the "Per Case" or "Pauper List" contracts have, within the last two years, been substituted for that of a "Fixed Salary."

2. In all the Unions where there is a fixed salary, the payment for medical relief is included in the establishment charges. Where the "Per Case" or "Pauper List" contract has been adopted, the payment is, on the contrary, charged to the several parishes the paupers belong to who have received the relief.

III.—*Has Dissatisfaction arisen, &c.*

1. It appears that in one-half, at least, of the Unions comprised in this district, there is no "dissatisfaction" admitted to have arisen on any of the subjects adverted to in this query.

2. That in the remaining Unions "dissatisfaction" has arisen, in some instances on the part of the medical officers, in others on that of the Board of Guardians, as to the "amount of remuneration," and also (on the part of the latter) as to the punctuality of "attendance," and the extent to which "Certificates for extra diet" have been granted.

IV.—*Disposition to seek Medical Relief, &c.*

1. Under this head, it appears, from the tenor of many of the replies that the question has not in all cases been perfectly understood, and

that it is answered as though the inquiry had been, not whether a "Disposition to seek medical relief, &c." had been encouraged or discouraged by the "medical arrangements," but whether it had or had not been so by the practice of the Union.

2. In some few cases the reply is, "much the same as before," but in more than half of the remaining Unions the arrangements are stated "not to have encouraged that disposition," whilst, in the others, they are said to have "encouraged" applications for the purpose of being placed on the relieving officer's list for other relief, or of obtaining the medical officer's "certificate for extra nourishment," which has been granted in some Unions to an extent that has been loudly complained of by the Guardians.

V. & VI.—*Practice as regards able-bodied Men and others not in receipt of Relief.*

1. It will be observed, that, although in many Unions the principle acted on is to refuse medical relief to these classes, there is in no Union any rule whereby the "Families of men usually in employment at ordinary wages," or "Persons not being able-bodied but not otherwise in the receipt of out-relief," are absolutely excluded; that, where the circumstances of the case require it, the relief is confirmed as a gratuity; and that, where there is nothing to warrant this course, it is declared a "Loan," to be repaid by the applicant.

VII.—*Practice as regards Aged and Infirm.*

1. Where there is a pauper list, the aged and infirm whose names are included in it obtain medical aid on their own application to the medical officer. Where there is a "Fixed Salary" or "per case" contract, without a pauper list, it is necessary for all classes requiring medical assistance to obtain an order from competent authority.

VIII.—"*Do you consider any general or special Alteration of the Medical Arrangements, &c., desirable?*"

1. In reply to this inquiry, I have to state, that I do consider it exceedingly desirable that the experience obtained, during the last four years, of the various systems which have been in operation for affording medical relief, should, with as little delay as possible, be applied towards establishing, not in this district only, but throughout the kingdom, uniformity of plan, uniformity of principle in respect of the amount of remuneration, and as far as the discretionary powers vested in Boards of Guardians on the subject of relief will admit of it, uniformity of practice.

2. The plan, or in other words, the contract, to which I give a decided preference, after having carefully observed the working of the several modes of administering medical relief in the extensive district under my superintendence, is that of a "pauper list" combined with the "per case" provision for casual sick. The description of "list," and extent to which the "per case" portion of the contract should be applied, will be noticed in the following observations on the several points recommended in the circular to be more especially kept in view.

3. In considering this question, it will, I conceive, be admitted by all, however opinions may differ as to the mode of appointing the officers and paying for medical relief, and as to the class of persons who shall be deemed entitled to receive it, that the medical officers appointed by

a Board of Guardians should, in respect of character, and legal and professional eligibility, be the best that can be procured, all circumstances, local and others, considered, and consequently that the amount of payment should be such as will secure the services of such men, and afford them a reasonable remuneration; that in whatever case medical aid is to be afforded, it should be so as promptly as possible; that whilst *no person*, of whatever ability, should be allowed to perish for want of medical assistance, that that description of relief should, no more than any other, be granted absolutely at the expense of the rate-payers, to any person who may be fairly said to be of the ability to provide it for himself.

“Size of District.”

1. As already stated, there is no “dissatisfaction” expressed under this head in any of the replies received from the Boards of Guardians; and, on referring to the accompanying “Summary,” it will appear that, although in Cambridgeshire the average area and population of the medical districts is greater than the average of the districts in Norfolk, yet that in Essex and Herts it is considerably below the average of the districts, not only in Norfolk, but in Suffolk also, which Mr. Wakley assumed to be “smaller than in any other districts in the kingdom,” (Vide Minutes of Evidence, Special Committee, 5091.) Nor am I prepared to assert that, in any case I have been called upon to investigate, in which neglect has been charged and established, such neglect has been distinctly traced to the too extensive charge confided to the medical officer. Nevertheless, I cannot hesitate to declare my conviction, and I do so with the full persuasion that the poor are now very far better attended to than they were under the old poor laws,—that in many instances medical aid is not so promptly supplied, nor so frequently renewed, as it ought to be, chiefly because of the formation of “medical districts of parishes,” and of the consequent distance of the medical officer’s residence from the party requiring his assistance.

2. Medical relief is, in its nature and consequences—in fact, in every point of view, one only excepted—unlike all other kinds of relief.

3. It is true that, like any other kind of relief, it is injurious to the independence of the receiver, but it does not, like all others, in addition to this, tend to create again the destitution it relieves. Many will be poor again because they have once found an easy access to relief, but no man will be sick again because he has, without difficulty, obtained the aid of the doctor.

4. The arguments adduced in the First Annual Report (pages 16, 18), in support of “the extension of the area or district of management by the formation of Unions of a greater or less number of parishes,” for the purpose of obtaining at once the most correct and the most economical administration, appear to me, when applied to all other descriptions of relief, unanswerable, but wholly inapplicable to the question of medical relief. If a man is without food, or the means of providing it, the Guardians, relieving officers, parish officers, and magistrates, to say nothing of the humane and charitable, can at once administer to his wants, and procure for him, from the next baker’s shop, the means of relieving his destitution. If he is exposed to the inclemency of the weather, they can in like manner, immediately procure for him lodging or clothing; but if his life is in danger in consequence of acci-

dent or illness, however anxious all public authorities and private individuals may be to afford him assistance (not one of whom, be it remembered, is competent in all probability, to form a correct opinion as to the urgency of the case), no one amongst them can do so otherwise than by sending for professional aid; and it is surely desirable that, if the latter can be obtained on the spot, it should not be to be sought for at a distance.

5. I am of opinion, therefore, that in all arrangements under the poor law, the medical relief provided for paupers should be placed as nearly within their reach as possible; consequently, that no eligible medical practitioner should be excluded by the arrangements of a Board of Guardians, or be refused the charge of the parish in which he resides, for the mere purpose of obtaining the formation of a medical district of parishes of a given extent of area and population.

Mode of appointing Medical Officers.

1. I should, however, decidedly object to "parochial appointments." Every officer of the Union should be appointed by the Board of Guardians, subject to the approval of the Poor Law Commissioner. I have already remarked that open tender is falling into disuse, and in no instance should it be resorted to except in a case in which the Guardians are prepared to show that the medical officers residing within the Union have refused to accede to reasonable terms.

2. In any case of a vacancy occurring, or of the services of an additional medical officer being required, a circular should be addressed by the Guardians to the several duly qualified practitioners resident within, or contiguous to, the district or parish to be provided for.

The Pauper List.

This is of three kinds:

1st. A list in which are inserted the names not only of all those in a parish who, being in the receipt of relief, are already paupers, but also the names of a numerous class of persons and their families who at the time the list is made out, are independent, but who possibly may require medical assistance before the expiration of the contract.

2ndly. A list, containing, in addition to the permanent paupers of each parish, the names only of those who have received relief during the whole of the preceding quarter, or some other considerable period.

3rdly. An "open list,"—that is, either of the above, with a power of adding to it the names of casual poor in cases of sickness.

2. The payments upon the pauper list also have been provided for in a great variety of forms.

1. By a scale,—the amount per head varying according to the condition, sex and age of the several persons.

2. By one and the same sum per head for each individual on the list, whether single, married, male, female, adult, or child.

3. By a sum per head for all on the list, (as above,) but the total to be received by the medical officer being limited to a given amount.

4. By a sum per head, decreasing in amount as the numbers on the list, after a given number, increase.

5. When (as No. 3) a "pauper list" has been adopted, unconnected with the "per case" for casual poor, it has been found necessary to provide for the addition of individuals of this class to the list in sick-

ness, by the payment of a "fine" as well as the sum per head, amounting, in fact, to a payment "per case."

3. It is evident that where the contract is simply a "pauper list," unconnected with any provision for the casual sick at "per case," and that, consequently, a fine is to be paid on placing on the list an additional name, a very strong inducement is held out to the Guardians to include in it, at the outset, a very considerable number of families, who are not at the time in the receipt of, and who never may stand in need of, nor apply for, any parochial relief, medical or other whatever.

4. I am aware that the committee of the House of Commons have expressed an opinion "that the principle on which those additional names are recommended for insertion is perfectly just," and that they agree with Mr. Gulson and other witnesses, that medical relief may, with great propriety, be given more extensively than any other kind of parochial assistance.

5. In the latter opinion, to a certain extent, I also concur, and for this reason,—we cannot make the labourer what he ought to be, independent all at once; there is therefore something in the *order* in which the different kinds of relief are to be withdrawn, and it appears to me that medical assistance in sickness should be the last, because, as has been already shown, it is the least of all open to objection in itself; added to which, its withdrawal from *all*, without exception, who are not already paupers, would probably be the most obnoxious to the feelings of the poor, and give the most plausible ground to the opponents of the new Poor Law. But it does not follow that there exists a necessity for declaring independent persons paupers by anticipation; on the contrary, it is, I conceive, opposed to sound principle to do so.

6. It is desirable to keep every kind of parochial relief in the position in which it was originally intended to be, namely, that of succour to meet present emergency: it is not needed to-day, we have no right to assume that it will be so to-morrow; and no occasion should be neglected of impressing upon the recipient of relief, medical as well as any other, that it is given in consequence of the particular circumstances of the case; to which it may be added, that there must always be considerable difficulty, owing to the frequent changes in the condition of labourers and their families, in making out what may be deemed a correct, and towards both rate-payers and those of the independent labourers who are excluded, a fair list of persons, who, not being paupers, are nevertheless to be relieved at the expense of the parish, *medically*, for a whole year.

7. Whilst, then, as regards *paupers*, I am, for the following reasons, decidedly favourable to a "pauper list," I object to any list which includes the names of independent parties; and, as regards the mode of payment, I never have been able to understand the advantage that any graduated scale possessed over a fixed sum per head for each person whose name is included in the list. The advantages of a pauper list are—

1st. As regards medical officers, that, on the principle of mutual assurance, it secures to them, to a certain extent at least, what they all appear so very desirous of obtaining, a fixed amount of remuneration (their liability being at the same time defined); for it is, in fact, for each parish a "fixed salary," without any of the disadvantage attendant on the old form of contract.

2ndly.—That it secures to the great majority of those who are to receive medical relief at the expense of the parish, the right of direct application to the medical officer, (who will, of course, be in possession of a copy of the list,) without first obtaining an order from the parish or relieving officers.

3rdly.—As regards the rate-payers, that the payment for medical relief is no longer an establishment, but a parochial charge, bearing only its just proportion to the pauperism of the parish ; and

4thly. That to a very considerable extent, it removes that inducement which, under a simple “ per case ” contract, unconnected with a *list*, exists on the part of the medical officer, to suggest sickness to paupers, or pauperism on the plea of sickness, to the independent, or to listen to the applications from paupers for extra diet or nourishment, which, were the applicant’s name on a pauper list, at a fixed sum for the year, whether sick or well, would never be attended to.

“ *Per Case.* ”

1. As already stated, a pauper list, containing the names only of *paupers*, with a “ fine,” in addition to the sum per head for *casual cases*, is, in principle and fact, the “ pauper list,” and “ per case ” contract ; but being a more complicated piece of machinery than the latter, without any corresponding advantage, I prefer a contract in which the regular parish paupers and casual poor are kept completely distinct and separate.

2. One striking advantage of the “ per case ” plan is, that whilst, if acted upon with right feelings and judgment, it secures medical attendance for those who are in the “ transition state ” between independence and pauperism, it enables the Guardians to declare the relief “ a loan ” to those who are evidently of ability to pay for it ; there being no difficulty under this form of contract, such as exists where there is a “ fixed salary,” in proving the cost price of the relief granted, the sum to be paid for the relief being specific, and not an undetermined and indeterminable portion of a gross sum, to be paid for attendance on one or five hundred persons in a parish or district ; consequently the tendency of the “ per case ” contract is to produce provident habits. When a man is made aware that he may be called upon by the Guardians to pay seven or eight shillings for the order he has received from the relieving officer, he will not require one upon every trivial occasion ; and he will, moreover, endeavour to secure for himself and his family medical attendance at a less cost, by subscribing to a club, than, if overtaken by sickness, he runs the risk of being called upon to pay for it, if provided by the parish ; also it is stated that others, actuated by higher motives, have been known to refuse an order when it was explained to them, that it was to be paid for by the parish at a sum, which, with the name of the party relieved, would be recorded on the list on the church door as a distinct act of pauperism, and these, in all probability, parties who never would have thought of shrinking from the taint of pauperism, when it was concealed under a contract for attendance generally, at a gross sum on the parish poor.

3. On the other hand, however, it must be confessed that there are disadvantages also belonging to this form of contract, and one of them of the most serious kind, and which, did I not feel that it can and will be successfully grappled with, would at once compel me, though with

great reluctance, to recommend a return to the old "fixed salary," notwithstanding its manifest disadvantages, and direct tendency to create and perpetuate the "medical" pauperism of the whole of the lower orders.

4. The evil I allude to is exactly of an opposite character to the one last named; under a "fixed salary," *every one* could have an order, but, where a specific sum is to be paid for the "case," there is a constant and immediate motive presented to those concerned to restrict the granting of medical relief as much as possible, and to throw every difficulty in the way of obtaining it; this applies to both parish and relieving officers, but more particularly to the former; the *parish* is to pay for the order, and the overseer is therefore personally interested in refusing it; and he, be it remembered, is on the spot, and will be applied to in urgent cases far more frequently than the relieving officer. The many instances that have come under my own notice, in which both overseers and relieving officers have refused an order for medical relief, because, in the officers' opinion, the party applying was, or ought to have been, of ability to procure it for himself, because destitution was not positively established, or, not unfrequently, because (and of which the officer necessarily was a most incompetent judge) immediate danger was not apprehended, has induced me, at more than one board, strongly to recommend to the officers, that in ninety-nine cases out of one hundred, the order should be granted, leaving it to the Board of Guardians to determine the question of the ability of the party, and whether he should or should not be called upon to indemnify the parish.

5. I must candidly confess, however, that this anxiety to prevent one evil, has produced another, not of course to be compared to the risk of the loss of life, arising from the refusal of an order, but still one of very considerable magnitude, and which has been much complained of by the Guardians, in those Unions where there is a "per case" contract, without its attendant "pauper list"—the evil is, that it is, in such case the manifest interest of the medical officer to suggest pauperism, than which nothing can be more easy—for instance, when a medical officer is already in attendance on one member of a family—the suggestion being addressed also to those who are now well aware that "an order for the doctor" no longer means simply an order for *physic*, but that, in all probability, the latter will be followed by a good supply of mutton, porter, &c.

"Relief by Loan."

1. For both these evils, however, there is, I conceive, a perfectly safe remedy, namely, the system of relief by *loan*, which, if generally acted upon, and steadily followed up to the recovery of the cost price of the relief, would at once remove the motive of the officers for refusing a medical order, and the temptation to an independent man to apply for or accept it, and therefore necessarily diminish the power of a medical officer to swell his list of patients at an additional expense to the parish, and to the injury of independency.

2. But then I must admit that, as far as my own experience goes, no part of the law has worked so ill as that relating to the recovery of *loans*: the principle is a correct one, but the process tedious and inconvenient; and what with the unwillingness of employers to retain in their service men whose wages are attached, the supineness of the Guardians on this particular subject, the neglect of the officers, and most particu-

larly of the auditor, in not compelling the repayment of loans, and above all the reluctance of the magistrates to lend their assistance, except in a very few Unions indeed, although relief is frequently declared a loan, no attempt is subsequently made to recover it.

3. This part of the Poor Law Administration then requires immediate attention and amendment; and, if possible, some more summary process for the recovery of loans should be devised than that afforded by an appeal to the Bench of Magistrates, and the attachment of wages in the hands of the master.

4. I trust that, in urging, as I do, most earnestly, this subject on the attention of the Commissioners, I shall not be accused of inconsistency because I have elsewhere admitted that I agree in opinion with those who would gradually withdraw medical relief from the lower orders. I have already stated why I assent to this proposal; but to remove, however gradually, this last link in the chain of pauperism, there must be a beginning, and the "per case" contract is admirably adapted for the purpose, if employed in conjunction with a loan system of easy application. Unattended by this, it will, I am convinced, have the very contrary effect; and, both as regards the rate-payers and the poor, be productive of the most injurious consequences.

The sum per Head and per Case.

1. The terms of the several contracts at present in use in this district are stated in the accompanying table.

2. The sum to be paid per head on a "pauper list," and "per case," must necessarily vary in different Unions according to local peculiarities, extent of area, density of population, &c. &c.

3. In considering the gross amount to be paid to the medical officers of a Union, it must be borne in mind that they are not now, as formerly, called upon to attend the *sick poor* of the parish, but only on the *paupers*.

4. On the other hand, should the former salaries be admitted as an element in determining the amount of remuneration to be paid under the new arrangement, it must not be forgotten that the medical officers are no longer permitted to charge, at their own discretion, for attendance on paupers not belonging to the parish they reside in.

5. In arranging the terms of a contract, the admitted connexion between private practice and attendance on the poor, although not to be taken unfair advantage of, should not be altogether lost sight of; nor should it be allowed as a sufficient reason for increasing the price either on the "pauper list" or "per case," that the parish or district is a small one, and that, therefore, the patients will not be numerous. Professional men well know that they cannot, on this ground, increase their charges to their private patients, and there is no reason why they should do so for paupers.

6. Were I to name sums of general application for the "pauper list," and "per case," I should propose for the former, 2s., 2s. 6d., or 3s.; and for the latter, 6s., 6s. 6d., 7s., or 7s. 6d.; with extra charges for

	£	s.	d.
Vaccination	0	1	6 per head.
Midwifery cases.	0	10	6 to 15s. each.
Simple fractures	3	3	0 each.

Compound fractures, amputations, and strangulated hernia	£.	s.	d.
	5	5	0 each.
Single and double trusses	8s. and 12s.		

7. Attendance on the workhouse should always be provided for by a fixed salary.

Practice.

1. All medical contracts should terminate at Lady-day, and the new one should invariably be submitted for the approval of the Commissioners. In it should be shown the number of parishes—area—population—number of paupers, &c. &c.

2. All “Orders for medical relief,” signed by the parish or relieving officers, should be in a printed and uniform form.

3. As should also the “Certificate of the medical officer for extra diet,” and

4. (Where the applicant is not on the books of the medical officer of the Union), “The report of sickness.”

5. The order requiring the production of the medical officer's books at the weekly meeting of the Board of Guardians should be strictly enforced. On this subject I request attention to the annexed extract from my report of the 1st ultimo. (See p. 257.)

6. The diet recommended by the medical officer for his patients, whether in or out of the workhouse, should be allowed in all cases, unless the Guardians are prepared to show some very sufficient reason for refusing it.

7. In no case should an overseer or relieving officer refuse to grant an order for medical relief, without first having visited the case, unless he has the most ample reason for believing that it is one of no importance; nor should the apparent ability of a party be a sufficient ground of refusal, except in the most trifling cases.

8. In no case of doubt, still less in one in which the officer has not visited the party, should an order for the workhouse be substituted for a medical order, without first having obtained the opinion of the medical officer, who is the only competent judge (both as regards the state of the applicant and the nature of the disease) of the propriety of removing a sick person into the house.

9. Medical relief should never, except under very peculiar circumstances, be granted on the condition that the head, or some other member of the family, shall enter the workhouse.

10. In many Unions there exists a good deal of anxiety, no doubt proceeding from the most laudable motives, for the Guardian of the parish to be permitted to grant an order for medical relief; and it has also more than once been urged upon me that a discretionary power of this kind should be vested in the clergyman of the parish. I must repeat, that medical assistance no longer means physic only; and I cannot think that, until it does, it will be wise to give this power to any person who is not, as are the parish officers, responsible for his acts to the Board of Guardians.

The clergyman could neither be compelled to act, nor, if he assented to the proposal to do so, be rendered responsible; and the Guardian is himself the employer of the person to be by him relieved, and a member of the Board which is to decide upon the propriety of the order: by generally establishing the pauper list, and increasing the

number of medical officers, the number of applications for orders will be greatly diminished, and medical relief be as accessible as the Poor Law Commissioners have it in their power to render it.

Independent Clubs.

On this subject I shall offer but one remark, namely, that the medical gentlemen, examined before the Committee of the House of Commons, have all admitted that towards their profession there is no unfairness in paying for paupers on the principle of mutual assurance at a low rate, affording about 6s. 6d. for every case of sickness that occurs. It must be evident that, amongst a given number of paupers, their age and general condition considered, there will be a far greater proportion of sickness, consequently a greater loss to a medical man, than amongst the same number of independent labourers. The rate of subscription, therefore, to an independent club should be somewhat lower than the sum paid per head on a pauper list—certainly should never exceed it. I, of course, mean for agricultural labourers and others of their class; for servants and artisans of a superior class a club may be opened at a higher rate of subscription. I do not recommend that the independent club should be provided for by a clause in the contract, but every means should be held out to induce the medical officers to open, and the lower orders to subscribe to them.

EXTRACT from a Report by Colonel WADE, dated 1st February, 1839.

“HAVING closely observed the proceedings of the several Boards of Unions in which the prohibitory order has been issued, respecting out-relief to the able-bodied on account of sickness, I feel convinced that some regulation to prevent the evasion of that order is absolutely necessary. In many cases relief has been granted without the production of any proof of the alleged cause for it existing, but merely on the unsupported statement of the relieving officer that it was a case of sickness: and in others relief for the whole family has been granted, because the wife or one of the children was ill.

“It appears to me that the auditor should be instructed to try every case of out-relief to an able-bodied man, on account of sickness, by the medical officer's books, and to disallow the relief granted, if the case is not recorded in the latter. And that to compel the more regular production of these books (certificates on scraps of paper being constantly substituted for them), at the weekly meetings of the Guardians, the auditor should be further instructed not to grant his certificate for the payment of the salary of the medical officer at the quarterly audit, unless the officer's books bear the weekly signature of the chairman, and certificate that it was produced at the meeting. And lastly, it will be right to intinate to any Board evading the order as above stated, that the auditor will be required not only to ascertain the fact of the existence of sickness, but to see that the amount of the relief granted has not been excessive.

“It not unfrequently happens that the sickness of the party applying for relief is certified by a professional man, not being a medical officer of the Union. For these cases there should be a printed form of certificate, as also (in all cases) one for the attendance of the medical officer when required by the relieving officer or overseer, and one for such necessary articles as the medical officer may deem necessary.”

ABSTRACT OF REPLIES to QUERIES proposed in CIRCULAR,

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
County of CAMBRIDGE. 1. CAMBRIDGE.	By tenders; but the lowest tender is not necessarily accepted; and the Guardians in selection are mainly guided by respectability and professional reputation, that proper medical treatment may be afforded.	By fixed salary; midwifery 10s. 6d. per case, and trusses at cost price.	. . .	. . .	No dissatisfaction.
2. CANTON AND AR-RINGTON.	No selection; there being but one medical officer resident in the Union; two non-residents therefore employed.	Fixed salary; Independent Club.	and	By pauper list.	No dissatisfaction.
3. CHESTER-TON.	Originally elected by tender at per head upon pauper list, but afterwards retained with fresh tenders at a yearly salary.	Fixed salary.	. . .	. . .	I never heard of any, except in the latter instance; two or three complaints have been made in the course of the three years we have been formed into a Union of the non-attendance of the medical officer, for which he has been invariably summoned before the Board, and the cause has been explained.
4. ELY . . .	By tender in some cases, and also by mutual arrangement without tender.	Salary for the workhouse only.	Per case, midwifery and fractures the only extras (and Independent Medical Club).	. . .	No dissatisfaction, except from the medical officer, who complains of the inadequacy of the workhouse salary.
5. LINTON .	By tender.	Fixed salary.	. . .	. . .	No—except in one or two instances, where the surgeon did not attend sufficiently often.

1st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS.

PRACTICE RESPECTING MEDICAL RELIEF.			
<p>as a disposition to seek "Medical Relief," or Relief generally," been encouraged or discouraged by the Medical arrangements.</p>	<p>Of the Families of men who are usually in employment at the ordinary Wages of the District.</p>	<p>Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.</p>	<p>Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?</p>
<p>In a few instances persons have applied for medical relief as a means of obtaining pecuniary relief through feigned illness; and in all cases there has been a disposition to seek medical relief, in affording which the present medical arrangements appear to have worked extremely well, and the medical officers possess the public confidence and satisfaction.</p>	<p>They apply to the relieving officer of the district, who makes inquiry of the applicant as to nature of sickness, and gives orders accordingly; but the medical officers have directions to charge the individual requiring relief with the relief afforded, if it is considered he can afford and ought to bear its expense.</p>	<p>All persons seeking medical relief, whether able-bodied or aged and infirm, are required to produce a <i>weekly</i> certificate from the medical officer, which is considered objectionable, as where the disease is permanent, a general certificate would prevent the inconvenience of weekly certifying, the number of such cases being generally large. Persons requiring or seeking medical relief are required (in all cases) to apply for an "Order" before the medical officer attends.</p>	
<p>Encouraged.</p>	<p>In most cases refused (in the event of their not having become members of the medical clubs), but in cases of urgent necessity it is granted.</p>	<p>Generally refused, except under peculiar circumstances.</p>	<p>No; they appear on the pauper list which is delivered to the medical officer, which renders an order from the relieving officer unnecessary.</p>
<p>In all cases, with scarcely an exception, paupers have readily and thankfully availed themselves of the assistance of the Union medical officers.</p>	<p>An order is always given upon the medical officers to attend, either by the Board of Guardians, by the relieving officer, or overseers.</p>	<p>An order is always given, except in sudden and urgent cases, when the medical officers will always attend upon application of the party only, or some one for them.</p>	<p>The medical officer usually attends without order, though it is common for the relieving officer, when on his rounds, to send orders to the medical officers for attendance upon paupers even of this class.</p>
<p>Every facility afforded to the really necessitous poor, and no discouragement has been used to that class of able-bodied poor (such as young single persons or able-bodied couples with small families), who, by proper forethought, and the aid of benefit or medical clubs, might have kept themselves independent of parochial assistance.</p>	<p>Medical relief never withheld if applied for, the Guardians granting it as a loan when they consider the applicant ought to have provided it for himself. The order of the relieving officer or overseer is in all cases necessary; but in very urgent cases the medical officers do not hesitate to attend on a representation of the parties unaccompanied by an order.</p>		
<p>has not been discouraged,</p>	<p>The relieving officer, if he considers the applicant unable to pay his own medical man, grants an order, and it is reported at the next meeting of the Guardians for sanction.</p>	<p>Relief is generally granted, subject to the sanction of the Guardians.</p>	<p>No.</p>

ABSTRACT OF REPLIES TO QUERIES proposed in CIRCULAR

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
6. NEWMARKET.	By annual election.	. .	. .	Pauper list with medical clubs.	The medical officers complain that they are not paid in proportion to their duties.
7. NORTH WITCHFORD.	Hitherto each qualified medical man has had a parish or a part of one, according to the size.	. .	Per case; midwifery, trusses, fractures, and vaccination are extras.	. .	The Guardians have lately been dissatisfied with the attendance and efficiency of one of the medical officers; the same has been laid before the Poor Law Commissioners, and at the request the gentleman has sent in his resignation. The other parts of the question may be answered in the negative.
8. ROYSTON .	All the medical men who attended the poor of the various parishes prior to the Union, were continued in their attendance; and the medical men residing in Royston were requested to send tenders for attending the inmates of the workhouse.	. .	. .	Pauper schedule and medical clubs.	None.
9. WISBECH .	By appointment.	Fixed salary.	. .	. .	No dissatisfaction whatever.
10. WHITTLESEY.	Selected by tender.	The workhouse at a fixed salary.	Per case, midwifery extra.	. .	No, except in one instance, when, in the opinion of the Guardian the medical officer was excused from any alleged neglect.

1st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—continued.

PRACTICE RESPECTING MEDICAL RELIEF.			
As a disposition to seek "Medical Relief," or Relief generally, been encouraged or discouraged by the Medical arrangements.	Of the Families of men who are usually in employment at the ordinary Wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?
Decidedly encouraged by the present system; the persons who are in the pauper schedules, or in the Union medical clubs, having a discretionary power of calling in the doctor. Although the subscription to the medical clubs is so low, the paupers shirk them as much as possible, in order to throw themselves upon the pauper schedules.	They are usually in medical or benefit clubs of their own selection; some are in the Union medical clubs.	They are, when thought fit cases for medical relief, and not being in any medical club, placed on the pauper schedule.	They are placed on the pauper schedules of the medical officers, to whom they are allowed to apply when they require medical assistance without an order.
Not at all encouraged.	This class receives no medical relief.	These frequently have orders for medical attendance.	Yes—to the Board, if sitting; if not, to the relieving officer; and in his absence to the overseer.
Certainly somewhat checked; as previous to the Union any one could obtain an order without difficulty, now one is only given to those who really require it.	The granting or refusing medical relief to this class depends much on the nature of the illness and number of children. In cases where the illness is likely to be of long duration and expensive, and the children are numerous, we have generally granted relief by putting them on the pauper schedule and paying the fine. In one or two instances as a loan.	If this class have not provided themselves with medical relief by subscribing to a medical club, and have no other resources, we have no other alternative but placing them on the schedule.	No. The medical officer has the direction of the Board to attend all those on his schedule without an order; nevertheless they are required afterwards to get an order for the continuance of his attendance.
Encouraged in a medical point."	Granted to all poor persons requiring and applying for it.	Granted.	No order required (except in cases of midwifery).
The mode of payment at per case, for sick out-relief paupers, has induced a vigilance on the part of the medical officers to encourage applications for medical relief, and relief generally; and when such medical relief has not in any instance been followed up by other relief afforded by the Guardians, the medical officer has invariably exercised his power to prescribe for the sick other relief, and in some instances it has been thought by the Guardians unnecessarily so.	No—except in one or two very particular instances.	Medical relief has been very rarely granted.	An order is always required for the attendance of the medical officers.

ABSTRACT of REPLIES to QUERIES proposed in CIRCULAR

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
County of ESSEX. 1. BILLERICAY.	By tender.	Fixed sum for the workhouse only.	Per case and medical clubs.	. . .	None whatever.
2. BRAINTREE.	By a circular addressed to all the medical men residing in the Union.	Fixed salary for workhouse only.	Per case.	. . .	Yes, as to insufficiency of remuneration for workhouse; in no other respect.
3. CHELMSFORD. †	By nomination and vote at the Board of Guardians.	. . .	. . .	Pauper list.	The only dissatisfaction has been from the Guardians and rate-payers, on account of the increased expense of medical relief.
4. COLCHESTER.	All the medical men in Colchester were assembled, and the Guardians met them, and the present medical men agreed to the terms proposed, and have been continued in office since.	. . .	Per case.	Pauper list and medical club.	No. In one instance, an assistant (not duly licensed) to one of the medical officers, used occasionally to attend some paupers and give certificates; but upon the fact coming to the knowledge of the Assistant Commissioner, it was instantly put a stop to.
5. DUNMOW .	Appointed at a meeting fixed and advertised, not by tender-terms offered by Guardians; all the medical officers in the Union are employed.	. . .	Per case.	Pauper list and independent club.	Great dissatisfaction has arisen owing to the largeness of the sums paid.
6. EPPING. .	By tender, or by their acceding to the terms offered by the Guardians.	. . .	Per case.	Pauper list.	No; but the plan has by no means given satisfaction. On the part of the old medical practitioners there has been dissatisfaction that new ones were introduced to their exclusion.

21st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—continued.

PRACTICE RESPECTING MEDICAL RELIEF.			
Has a disposition to seek "Medical Relief," or "Relief generally," been encouraged or discouraged by the Medical arrangements?	Of the Families of men who are usually in employment at the ordinary Wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out relief. Are they required to apply for an "Order" before the Medical Officer attends?
Discouraged by the medical arrangements. Subscribers to the medical clubs are more numerous.	Never given except in cases of severe illness or accident; the family being very large.	Has been given when the means of the parties are such as not to enable them to procure it.	An order must be previously obtained; but no inconvenience has arisen from such a course, as the officers always attend in cases of necessity, upon being applied to by the paupers.
It is considered that the present arrangements have not encouraged a disposition to seek medical relief, or relief generally, so much as fixed salaries would have done.	These description of persons go either to the relieving officers or to the churchwardens and overseers, and receive medical orders, which are reported to the Board of Guardians, who determine whether they shall be considered as loans or not.		All are obliged to apply for orders in the first instance; but if they remain sick at the end of a year, no order is required for the next year.
Rather encouraged than otherwise, inasmuch as the medical man was not called upon to await the order of the Guardians, relieving officers, or other parish officers, the charge for their attendance being only made subject to the subsequent approbation and sanction of the Board of Guardians, which was very seldom, if ever, withheld.	Seldom, if ever, refused to the wives or families of men having two children or more, even though usually employed at the ordinary wages of the district.	Always allowed medical relief.	Are on the paupers' list, and never required to apply for an order before the medical officer attends.
No. If the benefits of the independent medical club were more generally appreciated, it might in some degree diminish the applications for relief generally.	Midwifery tickets have been given by way of loan. The head and family of <i>permanent</i> paupers are put on the schedule, and in general cases of paupers, their names are not put on the schedule till the emergency arises; a certificate, however, given by the medical man generally at once entitles the applicant to medical relief; and the relieving officer instantly visits the case, and supplies the necessaries certified as required.		Yes, if they are not already on the schedule; except in emergent cases, where the medical man finds necessaries needed, when he at once gives a certificate.
It is thought ten paupers apply for medical assistance under the present plan where one applied before; the number of trivial cases reported by the relieving officer is very great.	A labourer in employment at ordinary wages, with three children, is allowed medical relief as a loan. The loan has hitherto been enforced only where labourers have less than three children.	Medical relief allowed if required.	This class are included in pauper schedule, and no order is required. If not in schedule, the medical officer has directions not to attend, except in cases of emergency, without an order from relieving officer.
The disposition of the poor is much the same as heretofore; in nine cases out of ten they think nothing of it till they really want it.	The Guardians in no case refuse medical relief, but invariably afford it on application; and if it be considered that the applicant is so circumstanced that he ought to repay the Union, his wages are attached for that purpose.		All are required to apply for an order, except those who are upon the pauper lists, of which the medical officers have copies.

ABSTRACT OF REPLIES TO QUERIES proposed in CIRCULAR,

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officer? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
7. HALSTED .	Terms were offered to the medical gentlemen in the districts, who accepted same.	..	..	Pauper lists.	No.
8. LEXDEN and WINSTREE	An advertisement is inserted, announcing the Board's intention to appoint a medical officer for each district, and requesting gentlemen, desirous of the appointment, to send in their names.	..	Per case.	..	The medical officers complain that they are very inadequately remunerated, and the Board contemplate some alteration at the expiration of the present contracts; in other respects no dissatisfaction.
9. MALDON .	.. ..	Fixed salary.	..	..	No.
10. ONGAR . .	By tender.	The workhouse at fixed salary.	Per case.	..	Occasionally on the part of the Guardians as well as some of the medical officers; some of the latter considering the remuneration too little, and some of the Guardians too much. Complaints have been occasionally made against some of the medical officers for alleged inattention to pauper patients, but no cases have occurred since the last appointments of medical officers, in which an inquiry into the conduct of any such officer was deemed by the Board of Guardians expedient. The poor and the public are generally satisfied with arrangements.
11. ORSETT . .	The practitioners who were attending the poor of the respective parishes at the period when the Union was formed.	..	Per case.	..	No, except as to the workhouse. The salary (£30 per annum) is complained of as very inadequate.
12. ROCHFORD	..	..	..	..	..
13. ROMFORD.	By election from among the medical gentlemen practising in the neighbourhood.	..	Per case and medical club.	..	No. It was at first thought that the sums to which the medical gentlemen are entitled under the present per case system, would be found considerably to exceed the former amount of remuneration, but this has not proved to be the case to any serious extent.

21st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—continued.

PRACTICE RESPECTING MEDICAL RELIEF.			
Has a disposition to seek "Medical Relief," or "Relief generally," been encouraged or discouraged by the Medical arrangements?	Of the Families of men who are usually in employment at the ordinary wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?
A disposition to seek medical relief has been invariably encouraged.	Allowed, when the weekly earnings average from 9s. to 12s.	Allowed, in particular cases.	Yes, always.
As the Board invariably gives relief on production of a medical certificate, the paupers are encouraged to obtain certificates, and by that means they frequently get relief, when they otherwise would not.	The large families, when the children's earnings are little or nothing, are placed on the pauper list when any one of the family becomes ill.	Also, put on the list if they become ill, and are in consequence thrown out of employment.	Yes, if they are not already on the list, but not otherwise.
No.	Orders for relief have been given indiscriminately.		Yes.
Many of the Guardians have frequently condemned the conduct of the medical officers, for giving large quantities of expensive nourishment in cases of sickness, and in a state of debility, rendering them unable to work, and arising chiefly (as stated in the medical officers' certificates) from want of sufficient food. The Board has never, in any such case, required any medical officer to justify before the Board, or otherwise, his course of treatment of a pauper.	No sick pauper can be attended by a medical officer without having first obtained an order from the relieving officer, who is authorized to exercise his discretion on every application for medical relief; and, in cases of emergency, from one of the churchwardens or overseers. The medical officer is, however, bound to attend the pauper at his own request, when an order has once been given.		
It is supposed that there is not much alteration in this respect.	Not generally afforded, unless they have very large families.	Usually given in these cases.	Required to apply for an order. The medical officers, being aware of the practice of the Board, frequently attend these parties in the first instance, and then apply for orders.
..
..	In that part of the Union, namely, the parish of Barking, where the medical club system has succeeded, it has been rarely applied for, except in cases where the families are very large; in the other districts, the Guardians have been obliged to grant medical relief more freely.	Has never been withheld in these cases.	The medical officers have been in the habit of attending these cases when necessary, in the absence of the relieving officer, without "An order."

ABSTRACT of REPLIES to QUERIES proposed in CIRCULAR,

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
14. SAFFRON WALDEN.	The medical officers, who had been engaged by the different parishes previously to the new Poor Law Act, were generally appointed by the Board.	Fixed salary.	..	..	Yes. On the part of the medical officers as to remuneration being insufficient, especially considering the extra duties they have to perform. The Board have concurred in this, and reported their opinion to the Poor Law Commissioners. In no other respect.
15. TENDRING	By writing circulars to all the medical men in the Union, and those residing in the neighbouring parishes, and offering such terms as the Board have previously agreed on.	..	Per case.	..	The substitution of mutton and porter for the nauseous drugs of the apothecary's shop has given such satisfaction to the poor, that every little ailment creates a longing for the doctor (with one exception). The medical gentlemen appear generally satisfied. The guardians and public, under the present mode of payment to the surgeons, are generally satisfied, but would be more so if the discretionary power of the medical men were better exercised, and could be more circumscribed.
16. WEST HAM	From the medical profession in their respective districts.	..	..	Pauper list and medical club.	No dissatisfaction (except in a small degree as to remuneration of medical officers).
17. WITHAM .	By tender.	..	Per case.	..	No dissatisfaction.
County of HERTS. 1. BISHOP STORTFORD	The Board have in all cases offered the parishes to the medical gentlemen living in the neighbourhood on stated terms.	Fixed salary.	..	..	I believe the system adopted has given satisfaction to all parties concerned.

21st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—*continued.*

PRACTICE RESPECTING MEDICAL RELIEF.			
Has a disposition to seek "Medical Relief," or "Relief generally," been encouraged or discouraged by the Medical arrangements?	Of the Families of men who are usually in employment at the ordinary Wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?
Are not known to have operated either as an encouragement or discouragement to seek medical relief.	An order is generally given by the relieving officer, especially to persons with large families, but if, on inquiry, it appears to the officer, that such persons are of ability to pay the surgeon, he refuses to give the order, and refers the person to the Board.	There are but few cases in the Union where persons, not being A. B., and not otherwise receiving relief than by medical attendance: these cases are generally persons who are in a benefit club; they must have a medical certificate to entitle them to their pay, and their income is not sufficient to enable them to maintain themselves and pay the medical officer.	Some of the medical officers attend without any order, others require an order, which is readily obtained either from the relieving officer, or a churchwarden, or overseer, in accordance with the printed notices on the church doors.
There can be no doubt a disposition to seek medical relief has been encouraged, as in the most trifling illness an application is made for an order for the surgeon. The result is, in every fresh case, 6s. for the surgeon, and the additional expense to the Union of mutton and porter.	Granted in some instances, in others not, but not often by loan, in consequence of the difficulty in recovering same.	Granted in some instances when the nature of the case appears to require it.	Only in the first instance.
Discouraged as to able-bodied, who no longer receive medical relief as a matter of course and without inquiry.	Only afforded by way of loan or club.	Afforded by order from relieving officers.	Without an order to those on pauper schedule exclusively.
I certainly think there is more disposition to encourage applications for medical relief by the medical officers, at least some of them, on the per case system.	Where there is nothing particular in the circumstances of a person applying for medical relief, we always treat it as a loan, and recover it. This, I have no doubt, prevents numerous applications.	If the family is not large we always recover.	They must always apply for an order in the first instance, but this lasts for a whole year.
Our medical arrangements do not encourage applications for relief more than any other system. Relief is often asked for under the plea of illness, but as the medical men are not paid as per case, and they give the best attention, neither they nor the Board are very often deceived.	Medical relief is usually given to the families of agricultural men who are employed at the ordinary wages. Those who earn higher wages in the towns, &c., generally employ their own doctor.	To these persons medical relief is generally given.	Every one applies for an order before the medical officer attends, but where the case is reported to require his immediate attention, he never fails in giving it without an order.

ABSTRACT OF REPLIES TO QUERIES proposed in CIRCULAR,

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed salary.	Per Case.	Pauper List.	
2. BUNTING-FORD.	By re-appointment.	..	..	Pauper list.	None.
3. HERTFORD.	By tender.	Partly by fixed salary, to include all paupers.	Per case for attending independent labourers.	..	Generally satisfactory; a few cases of complaint have been made, inquired into, and improved.
4. WARE . .	Selected by the Board on the formation of the Union, and since continued.	Fixed salary.	..	..	All parties seem very well satisfied.
5. BARNET. .	By tender. The most eligible (not the lowest) tenders are accepted.	By fixed salary.	..	..	No.
6. HITCHIN .	Advertisement for medical tenders are issued yearly, from which the officers are selected.	Fixed salary.	..	..	All parties appear satisfied.
7. HATFIELD .	Three medical officers. A district is offered to each of the medical men practising in the Union.	20 <i>l.</i> a-year for the work-house.	10 <i>s.</i> for the town district, 12 <i>s.</i> for the rural districts.	..	None, except that, since the per case system has been adopted, one medical gentleman complains of receiving less money than under the former system, though the pay per case is much greater than the average pay per case under the salary system.
8. WELWYN .	There are two medical practitioners residing in the Union, and they are appointed medical officers of the Union alternately every year.	Fixed salary.	..	..	No dissatisfaction.

21st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—continued.

PRACTICE RESPECTING MEDICAL RELIEF.			
Has a disposition to seek "Medical Relief," or "Relief generally," been encouraged or discouraged by the Medical arrangements?	Of the Families of Men who are usually in employment at the ordinary Wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?
Discouraged.	Depends on the number and circumstances of the family.	Granted.	Yes.
Not aware of any discouragement having been made.	Relief never denied, and is made a loan or gift according to circumstances.	Never denied, and is made a loan or gift according to circumstances.	Obliged to apply for an order.
Has been discouraged, a complete check being put upon this as out-relief medical orders were not required under the old system.	The Guardians decide each case on its own merits, and give or refuse medical relief according to the circumstances of the case. The Guardians are averse to relief by way of loan.		Paupers of this class meet with no difficulty in obtaining medical relief, although the medical officers are not in strictness bound to attend any case without the usual order.
The Medical arrangements have tended to prevent imposition, and it is believed have discouraged applications for relief.	It is the rule to refuse medical relief, but some exceptions have arisen.	Occasionally administered to this class.	In all cases, except of emergency, an order is required before the medical officer can attend.
It is presumed that the inquiries necessarily instituted, and the caution used in giving orders for medical relief, have, <i>inter alia</i> , had the effect of causing many independent medical clubs to be established within the Union.	In cases of severe illness, and where there are very large families, relief has been occasionally afforded.	Only in particular cases.	Yes, generally.
Discouraged; the poor having entered medical clubs rather than subject their circumstances to a more strict investigation than under the salary system.	His class generally provide their own medical attendant, unless the illness happens to the head of the family. Orders are given by way of loan, to enable the poor to have medical aid at a cheap rate, without pauperising them.	Generally given; such cases being few.	An order is always required.
Rather discouraged.	No relief granted, except in particular cases.	Relief is granted where it appears that the husband is not in the receipt of wages sufficient to enable him to pay for it himself.	Required always to apply for an order, before the medical officer attends.

ABSTRACT OF REPLIES to QUERIES proposed in CIRCULAR,

Name of Union.	Mode of Selection of Medical Officers.	Mode of Payment.			Has dissatisfaction arisen— As to size of District? Remuneration of Medical Officers? Qualification of ditto? Mode of selection of ditto? Attendance or efficiency of ditto? On the part of— The Poor? The Medical Officer? The Guardians? Or the Public?
		Fixed Salary.	Per Case.	Pauper List.	
<i>County of HUNTINGDON.</i> 1. ST. IVES.	At the commencement of the Union, tenders were advertised for, and the gentlemen who now fill the medical department were chosen.	Fixed salary.	..	..	There exists a slight contrariety of opinion amongst the Guardians as to the mode of appointing the medical officers, but the majority of the Guardians are opposed to the mode of appointment by tender. In no other respect.
2. ST. NEOTT'S	By tender.	Fixed salary.	..	..	No.
3. HUNTINGDON.	By tender.	Salary.	..	..	The Guardians think the remuneration of the medical officers too high. But no other dissatisfaction has arisen.
<i>County of BEDFORD.</i> 1. BIGGLESWADE.	Originally selected by tender; but the contract is now renewed yearly with the same persons, if willing to continue on the same terms, which it is found they are.	Fixed salary for work-house only.	Per case, and medical club.	..	No dissatisfaction is expressed by any parties.
<i>County of NORTHAMPTON.</i> 1. PETERBOROUGH.	Hitherto by tender; but it is the intention of the Board of Guardians to engage the medical officers by private contract for the ensuing year.	..	Per case.	..	Dissatisfaction has arisen very generally as to the remuneration of the medical officers, the mode of selecting them, and, in the case of one of the medical officers, an accusation has lately been brought for neglect in his duty, and the Assistant Poor Law Commissioner has investigated the case.
<i>County of SUFFOLK.</i> 1. RISBRIDGE.	Each medical officer was offered a discount at a yearly salary.	Fixed salary.	..	..	None whatever.

21st FEBRUARY, 1839, respecting the MEDICAL ARRANGEMENTS—continued.

PRACTICE RESPECTING MEDICAL RELIEF.			
Has a disposition to seek "Medical Relief," or "Relief generally," been encouraged or discouraged by the Medical arrangements?	Of the Families of Men who are usually in employment at the ordinary Wages of the District.	Of Persons not being able-bodied Men, and who are not otherwise in the receipt of Out-relief.	Of Aged and Infirm or others habitually in the receipt of Out-relief. Are they required to apply for an "Order" before the Medical Officer attends?
I do not think the medical arrangements have had the effect of encouraging the disposition to seek either medical or other relief.	If, upon application, it is conceived, from the applicant's circumstances, that he could not afford to pay for medical assistance, an order is given from the Board of Guardians, or from the relieving officer, if he considers it a case of emergency.	This class would also receive an order for medical assistance, upon application, if thought fit objects.	Obliged to obtain an order, before the medical officer is considered bound to attend.
No disposition to seek medical relief has been shown, except in cases of necessity.	Many are in clubs. If a question arises as to an applicant being a proper case, the relieving officer consults the Board of Guardians, who determine the case.	They are attended by the medical officers.	Yes.
A disposition to seek medical relief has been encouraged.	Relief is not withheld from these classes.		Yes.
As medical relief is seldom or never refused to any of the labouring classes (because the relieving officers and overseers, when applied to, cannot incur the risk and responsibility of refusing to give an order); a slight encouragement is thus held out to them to obtain	The practice of the labourer generally is to apply to the relieving officer or overseer for an order for medical relief, for themselves and families, as before stated.	No order is required from these classes. The medical officers attend without orders.	
medical relief at the expense of the parish funds; but such relief is now treated as a loan only, in cases where the Board think it ought not to be a gift.			
The disposition to seek medical relief has been discouraged. Where the children or the wife of an able-bodied pauper have been afflicted with small-pox, or other epidemic, they have not been able to obtain medical relief, and have died without any medical attendance whatever.	Constantly refuse medical relief to this class.	The Guardians always give relief to this class.	No medical relief whatever is given without an order; frequently when an order has been given by the overseer for medical relief of one of the family of an able-bodied pauper, the Board have refused to allow the order, consequently the medical officer receives no remuneration whatever.
It has been the desire to discourage medical relief, but it appears that, since out-relief has been prohibited to the able-bodied, there have been more applications for medical relief, as many of the paupers with large families have been compelled to withdraw themselves from medical clubs.	The relieving officers grant orders for medical relief if they find (upon due inquiry) this class of paupers are unable to find it themselves.	Always allowed.	Medical relief always granted to this class when applied for by the medical officers.

TABLE OF TERMS "PER CASE," "PAUPER LIST," &c.

No.	Fixed Salary.			Per Case.	Pauper List, per Head.	Independent Club.	Extras.												
	Work-house.	The whole Union.					Midwifery.	Vae-cination.	Fractures.		Amputation.	Trusses.							
		£.	s.						d.	Simple.			Com-pound.	£.	s.				
1	..	190	0	0															
2	..	225	0	0	• • • •	3s.	Man & wife, 3s. 6d. Child, 4d. Above 16, 1s. 6d. Single man, 2s.												
3	..	235	0	0															
4	30	..			5s. and 6s.														
5	..	222	0	0	• • • •	• • • •													
6			• • • •	2s. 6d.—a fine of 2s. 6d. for each person placed on the list on account of sickness after the commencement of contract.	Man and Wife, and children under 16, 4s. Each single person above 16, 3s.												
7			7s.														
8			• • • •	3s.—a fine of 7s. 6d. for each, added on account of sickness.													8s. and 12s.
9	..	572	10	0															
10	25	..			4s. and 4s. 6d.														
11	35	..			9s. 6d.	• • • •													
12	35	..			6s.	• • • •													
13			• • • •	Varying from 3s. to 1s. 6d.—a fine of 10s. for each person not originally on the list, but added to it.													
14			• • • •	Single person, 4s. Man and wife, 6s. Children under 16, 2s.													
15			9s.	3s.													
16			10s.	3s.													
17			• • • •	Single person, 3s. Man and wife, with a child or children, 5s. Widow or widower, with do., 3s. All children, 9d. each. Man and wife, without a family, 6s.													
18			Single person, 3s. Man & wife, 5s. 6d. Do. and 1 child, 6s. 6d. Do. and 2 children, 7s. 6d. Every child above 2, 9d.	• • • •													
19	..	470	0	0															
20			9s. 6d.	• • • •													
21			9s. and 11s.	• • • •													
22			9s. and 11s.	• • • •													
23			9s. and 11s.	• • • •													
24	..	331	5	0															
25			6s.	• • • •													
26			• • • •	3s. and 4s.													
27			4s. and 5s.	• • • •													
28	1	425	0	0															
29			7s.														
30	..	264	0	0															
31	..	150	0	0															
32	6s. 6d. per hd	328	5	0															
33			9s. and 11s.														
34	..	40	0	0															
35	..	315	0	0															
36	..	326	0	0															
37			3s.	Single person 3s. Man & wife, 4s. 6d. Child, 1s.													
38			7s. 6d. to 3s.														
39	..	262	0	0															

Medical Expenditure.—The ratio to the population varies from 3½ to 5, exclusive of extras, and exclusive of one Union, in which, by a "Pauper List," including many hundred independent persons, and a "fine" for additions, in cases of sickness, the medical expenditure for the current year has been increased from 700l. to 1200l. at about 11d. per head on the population.

ANALYSIS.

Name of Union.	I. Mode of Selection.		II. Mode of fixing and Apportioning Salaries.							III. Dissatisfaction.		IV. Disposition to seek Relief.		
	By Tender.	By Re-appointment.	Fixed Salary.	Fixed Salary, and per Case.	Fixed List, Pauper List, and Independent Club.	Per Case.	Per Case, and Pauper List.	Per Case, and Medical Club.	Pauper List.	Pauper List and Independent Club.	Yes.	No.	Encouraged.	Discouraged.
<i>County of Cambridge.</i>														
1. Cambridge . . .	×	..	×	..	..	..	..	..	..	..	×	×	×	..
2. Caxton . . .	..	×	..	..	×	..	..	..	..	..	×	×	×	..
3. Chesterton . . .	..	×	×	..	..	..	..	..	..	×	..	×	×	..
4. Ely . . .	×	..	×	..	..	..	×	..	..	×	×	×	×	×
5. Linton . . .	×	..	×	..	..	..	..	..	..	×	..	×	×	..
6. Newmarket . . .	..	×	..	..	..	..	..	..	..	×	..	×	×	..
7. North Witchford . . .	..	×	..	..	..	×	..	..	..	×	..	×	×	×
8. Royston . . .	..	×	..	..	..	..	..	..	..	×	×	×	×	×
9. Wisbech . . .	×	..	×	..	..	..	..	..	..	..	×	×	×	×
10. Whittlesey . . .	×	..	..	..	..	×	..	..	..	..	×	×	×	×
	5	5	4	..	1	2	..	1	..	2	5	5	6	4
<i>County of Essex.</i>														
1. Billericay . . .	×	..	..	..	..	..	..	×	..	..	×	×	..	×
2. Braintree . . .	..	..	..	..	..	×	..	..	..	×	×	×	×	×
3. Chelmsford . . .	..	×	..	..	..	..	..	..	×	×	×	×	×	×
4. Colchester . . .	..	×	..	..	..	..	..	..	×	×	×	×	×	×
5. Dunmow . . .	..	×	..	..	..	×	..	..	..	×	×	×	×	×
6. Epping . . .	..	×	..	..	..	×	×	..	..	×	×	×	Neu tral.	×
7. Halsted . . .	..	×	..	..	..	..	..	×	..	×	×	×	×	×
8. Lexden . . .	..	×	..	..	..	×	..	..	..	×	×	×	×	×
9. Maldon . . .	..	×	×	..	..	..	..	..	..	×	×	×	×	×
10. Ongar . . .	×	..	..	..	..	..	..	×	..	×	×	×	×	×
11. Orsett . . .	..	×	..	..	..	..	..	×	..	×	×	×	Neu tral.	×
12. Rochford . . .	×	..	×	..	..	..	..	..	..	×	×	×	×	×
13. Romford . . .	..	×	..	..	..	..	..	×	..	×	×	×	×	×
14. Saffron Walden . . .	..	×	×	..	..	..	..	..	..	×	×	×	Neu tral.	×
15. Tendring . . .	..	×	..	..	..	×	..	..	..	×	×	×	×	×
16. West Ham . . .	..	×	..	..	..	..	..	..	..	×	×	×	×	×
17. Witham . . .	×	..	..	..	..	×	..	..	..	..	×	×	×	×
	4	13	3	..	..	5	1	4	2	2	10	6	7	6
<i>County of Herts.</i>														
1. Bishop Stortford . . .	..	×	×	..	..	..	..	..	..	..	×	×	..	×
2. Buntingford . . .	..	×	..	..	..	..	..	..	×	..	×	×	..	×
3. Hertford . . .	×	..	×	×	..	..	..	..	..	..	×	×	Neu tral.	×
4. Ware . . .	..	×	×	..	..	..	..	..	..	..	×	×	×	×
5. Barnet . . .	×	..	×	..	..	..	..	..	..	..	×	×	×	×
6. Hitchin . . .	×	..	×	..	..	..	..	..	..	..	×	×	×	×
7. Hatfield . . .	..	×	..	..	..	×	..	..	..	..	×	×	×	×
8. Welwyn . . .	..	×	×	..	..	..	..	..	..	..	×	×	×	×
	3	5	5	1	..	1	..	..	1	..	..	8	..	7
<i>County of Huntingdon.</i>														
1. St. Ive's . . .	..	×	×	..	..	..	..	..	..	×	..	×	..	×
2. St. Neott's . . .	×	..	×	..	..	..	..	..	..	×	×	×	..	×
3. Huntingdon . . .	×	..	×	..	..	..	..	..	..	×	..	×	×	..
	2	1	3	..	..	..	..	..	..	2	1	1	1	2
<i>County of Beds.</i>														
1. Biggleswade . . .	..	×	..	..	..	..	..	×	..	..	×	×	×	..
<i>County of Northampton.</i>														
1. Peterborough . . .	×	..	..	..	..	×	..	..	..	×	..	..	..	×
<i>County of Suffolk.</i>														
1. Risbridge . . .	..	×	×	..	..	..	..	..	..	..	×	×	..	×
Total . . .	15	26	16	1	1	9	1	6	3	4	18	22	15	21

XIV.—EXTRACT from MR. EDWARD SENIOR'S Report—*South Wales.**Carmarthen, 26th February, 1839.*

1. The system by tender has not been adopted in the district, the Guardians have fixed the salary, usually at the suggestion of Mr. Clive, and then offered the office to such medical practitioner as they conceived most competent to undertake the office.

2. The medical officers are paid by a fixed salary, usually renewed at the termination of the year, without either change or comment. The two Unions of Lampeter and Builth form exceptions to the above rule. In the former, the medical officer receives 6*s.* per case; in the latter the same amount of remuneration where the patients are near the officer, and an ascending scale, in proportion to the distance, terminates at 9*s.* per case. Midwifery cases do not form part of the medical contracts in any of the Unions, but are paid for at the rate of 10*s.* 6*d.* per case.

3. No dissatisfaction has arisen on any of the different points mentioned, except occasionally a complaint on the part of the Guardians that the medical officers are overpaid, the amount paid for medical relief having increased in a threefold proportion since the passing of the Act.

4. I have observed generally, but more especially in the Unions of Swansea and Cardigan, a disposition to seek both medical and other relief has been encouraged, both by the ease with which medical orders have been obtained, and the practice on the part of the medical man to order mutton, wine, bread, &c.

5. The average wages of the district not exceeding 7*s.* weekly, relief is always afforded to the families of men in employment at the average wages of the district. Even in the iron and copper works, where large wages are given, it is usual to give medical relief to the families under such circumstances.

6. Medical relief is universally afforded to persons not being able-bodied, who are not in receipt of relief.

7. It is the practice, in the Unions under my superintendance, for aged persons, who are habitually in the receipt of out-door relief, to apply in the first instance to the relieving officer, who instructs the medical man to attend.

8. I consider a total change desirable in the medical arrangements in the district—

1stly, In the mode of payment, which I would wish to be per case; and, in the mountainous district, on an ascending scale, in proportion to the distance travelled by the practitioner.

2ndly, I consider the establishment of a pauper list most desirable; the practitioner to receive a fixed salary on such list.

3rdly, As to the size of the medical districts, I conceive but little change practicable, as the nearest practitioner is frequently 15 miles distant. The present mode of appointing them I consider well suited to this very peculiar district. It has not been usual for the labouring class, or even for the smaller farmers, to secure the service of medical men, either by a voluntary payment, neither was it the custom for them to receive medical relief when paupers, previous to the passing of the Act. Old women, or other uneducated persons who are supposed to possess skill, are usually employed in the most serious cases of fever, &c.

Under such circumstances, it is universally admitted that, so far as regards medical relief, the poor are great gainers by the change of system

XV.—COMMUNICATIONS from a DEPUTATION from the COUNCIL of the BRITISH MEDICAL ASSOCIATION.

Dulwich, 1st April, 1839.

I.—OBSERVATIONS ON MEDICAL ATTENDANCE upon the POOR, and REPORT on a Document in connexion with that Subject, submitted to the Council of the British Medical Association by the Poor Law Commissioners, with the Plans of the Association for an amended System of Medical Relief.

BEFORE proceeding to consider the document containing queries as to medical attendance on the poor, addressed to the Assistant Poor Law Commissioners from the Central Board, some preliminary remarks may not be unnecessary.

The primary object of the Poor Law Amendment Act was undoubtedly to lessen the enormous expense of maintaining paupers, (or reputed paupers,) which was pressing so heavily on the lauded and other interests of this country, and crushing her energies. This for many years had been an accumulating evil, tending to the ruin of the lower orders, both in a pecuniary point of view, and in regard to the increasing immoral effects of the whole system as administered previous to the passing of the prescut Act. It is probable that many of the administrators of the new law considered, that as the primary evil, or chief acting cause, was lessened (*viz.* the large amount of relief, much too laxly administered), so many of the moral evils and consequences would naturally cease, independent of other well-intentioned efforts for that purpose. It cannot be denied, even by the enemies of the system, that a very large amount of good has already been effected by the New Poor Law, though some parts of the system may require modification or amendment. Much will always depend upon the feelings and conduct of Boards of Guardians. In some Unions the law has been administered with unnecessary harshness, and produced great discontent; while in others it has been mildly administered, and given great satisfaction. Like all other changes, it may have been accompanied with some real and some [apparent evils, and cases of individual hardship may have occurred (which must happen, more or less, in all transition states), but which time and experience daily tend to lessen.

The first and most prominent feature of the new system, as was to be expected, was the enforcement of a rigid economy in every department of the Poor Law. Many parishes were thrown into Unions, large contracts were effected, and other arrangements made to lessen expenses. The expenses of medical attendance formed a large item in the annual amount of parish expenditure; and unfortunately it was too hastily taken for granted that many and great abuses existed in the pecuniary part of this department; that the medical attendants had been greatly overpaid; and therefore that the system ought to undergo the same process of retrenchment which was found to be so necessary in the other branches. That the old system of parochial medical attendance was fraught with evils, both to the poor and to the medical

attendants, is notorious to those acquainted with the subject. The system of farming the parishes to the lowest bidder was most injurious to the poor, and repugnant to the feelings of medical men; and there was a total want of medical superintendence and responsibility, which was always complained of by the respectable part of the profession. It is, however, quite as notorious, that, instead of being overpaid, the surgeons were greatly underpaid; and that the sums awarded were often so inadequate, as to have given rise to the suspicion that in some cases the medical men were obliged to make collateral charges, with the view of ensuring themselves against losses which they would otherwise have incurred. Such cases, if true, only showed more clearly the errors of the old system, and pointed out the necessity of rectifying them, and of placing the whole department upon a new and better footing.

The opportunity for effecting a thorough reform of these abuses has not yet been embraced; indeed it was not to be expected that the Poor Law authorities and Boards of Guardians, to most of whom the subject was entirely new, could be in possession of the knowledge sufficient to organise and carry out a system which should be at once beneficial to the poor and satisfactory to the profession. Nothing but a well-digested plan, including medical superintendence, could have effected this; and as none such was formed, some of the worst evils of the old system have remained, and been in some respects aggravated. It is, however, but fair to acknowledge (and which is done with pleasure), that as regards the poor, some improvements have taken place; by, 1st, the introduction of a certain degree of non-professional superintendence; 2nd, by the registration of all cases of sickness; and 3rd, by (at least in some Unions) the withholding of indiscriminate orders for medical attendance. But these have been more than counter-balanced; 1st, by the medical districts having been increased in size; 2nd, by the system of competition by the tender having been very frequently resorted to; 3rd, by the salaries having been in most cases considerably lessened, while the duties are increased; and 4th, by a power having been created to punish (by reprimanding, suspending, removing, or dismissing) the medical officer, while there seems to be no power to protect him in the discharge of his duties, or in cases of oppression. If he should have given offence, perhaps unwittingly, to the Boards of Guardians,—if he should have happened to be of opposite political opinions, or to have opposed, however conscientiously, the progress of some favourite scheme of the Board (say the formation of a medical club)—the first opportunity has been taken to remove him; and however unjustly this may have been done, the Central Board either have not had the power to protect him, or they have failed to exert it in such cases. This subject is especially alluded to here, that, if additional powers be necessary for the prevention of such occurrences, they may be obtained in any application to Parliament that may be required for the general regulation of the Poor Law, or by the introduction of a separate Bill for this purpose.

The system of “tender,” and the smaller amount of salaries under the new law, both seem to have proceeded from the same cause—the wish to diminish, as much as possible, the amount of Poor Rates; and, as stated above, the various Poor Law authorities may have considered

that the greater the diminution of expense, the greater the perfection of the system. But it must be evident, upon a little reflection, that medical skill, ability, experience, and professional character, cannot be estimated by "tender;" these are not commodities which can be judged of like articles of food or clothing, of which Boards of Guardians might be competent judges. In short, none but disinterested and responsible professional authority could fully enter into the comparative merits of medical character and qualifications; and hence, among other reasons, the necessity of medical superintendence.

The fixing the proper amount of medical remuneration has been not the greatest difficulty, as the elements for calculating the value of medical services are sufficiently simple; but the greatest bar to the cordial work of this department. There have been various methods in use, and more have been proposed, for determining this point: viz. 1st, a fixed salary; 2nd, a payment per case; 3rd, a payment per head; 4th, a pauper list; and 5th, the club or mutual assurance system. It is, comparatively speaking, of little importance which of these systems may be adopted, provided the amount be sufficient to do justice to both parties: that is, to ensure the best medicines and efficient skill and attendance for the poor, and adequate remuneration to the medical officer for supplying them. Anything short of this will not effect the purpose intended. The misunderstandings which have so repeatedly arisen between Boards of Guardians and medical men have been occasioned not so much by the mode, as the amount of remuneration. Were this point thoroughly understood and settled, all the other parts of the system might be readily arranged. Still it is of importance that the plan which would be most likely to work best should be adopted.

It can be shown from undoubted evidence, that in their eager wish to effect a saving to the rate-payers, the Boards of Guardians have very greatly undervalued the services of medical officers; in fact, that the average salaries in the metropolitan districts have not amounted to half the prime cost of the necessary medicines! and that in the rural districts, where the labour of attending the sick poor is much more onerous, the salaries have not been sufficient to pay for drugs alone. By the parliamentary returns of last year, it appears that the average sum paid for medicines and medical attendance and skill for each case of illness in the metropolitan districts is 1*s.* 5½*d.*

In eight counties, viz., Lincolnshire, Devonshire, Dorsetshire, Cheshire, Lancashire, Norfolk, Suffolk, and Wiltshire, the average sum for each case of illness, (as deduced from the salaries,) for drugs, leeches, journeys and medical and surgical skill, is 3*s.* 3½*d.*

By the returns and careful calculations from twenty-two dispensaries, thirty county Infirmaries, St. George's Hospital in London, and the Canterbury and Bristol Infirmaries for ten years each, the average expense (as cost price) for each case of sickness, for medicines, leeches, surgical instruments, &c. was,—

For out-patients	2 <i>s.</i> 1¼ <i>d.</i>
For in-patients	6 <i>s.</i> 5½ <i>d.</i>

Total	8 <i>s.</i> 6¾ <i>d.</i>

Supposing the sum to be equal, the average is
nearly 4*s.* 3½*d.*

The two classes of out and in-patients at infirmaries, dispensaries, and hospitals, may fairly represent the cases of pauper patients, who are partly seen at the residence of the medical officers, and partly, perhaps more frequently, visited at their own houses. One of two things must necessarily happen under these circumstances; either the medical officer must be greatly out of pocket, which is believed to be the case, or there is a very great temptation to neglect the sick poor and supply them with the cheapest, or, in other words, with the worst, or adulterated medicines, or medicines of less energy and efficacy, because of their expense. It was given in evidence during the parliamentary inquiry on this subject, that cheaper medicines were offered by druggists to those gentlemen who attended the poor. A Poor Law medical officer lately remarked that he could not afford to give quinine, and other efficacious medicines, on account of the expense, his salary would not permit it; another gentleman said, he could not attend so often to the sick as he could wish, as his salary would not allow of his keeping a horse, and the patients were distant.

It is sincerely to be hoped that such a state of things will not be allowed to continue, and it is presumed they only require to be pointed out to be remedied. Unfortunately such is the crowded state of the profession, and such is the character of some of its members, and sometimes such is the fear of strangers being introduced into the practices of the established medical men, that duties will be undertaken which cannot possibly be adequately performed. Young men just let loose from the hospitals, and about to commence practice, but inexperienced and ignorant of the responsibilities, or even the expenses of parochial attendance, will gladly embrace the opportunity which the system of "tender" offers, to locate themselves in a neighbourhood; while the resident and experienced practitioner will refuse to undertake an office in which he knows, from the conditions, he cannot do justice either to himself or the poor. Men of indifferent character or ability will also accept of situations on any terms; but the question may be asked, should the lives of the poor be entrusted to the care of the inexperienced and half educated, or to the person whose character or abilities would preclude him from being called to the families of any member of the Board of Guardians? On the other hand, should the established and experienced practitioner be forced to undertake duties at a loss to himself? It is not sufficiently remembered, that the medical attendant of the poor is daily called upon to act in the united capacity of Physician, Surgeon, Accoucheur, Apothecary, Friend, and Adviser; that from him the poor have no appeal, and that therefore, if possible, he ought to be more highly qualified than the attendant of the rich man, who may at pleasure summon the additional aid of the most eminent and most experienced in the profession. It is of great importance then that a parochial medical officer should not only be of some standing in the profession, but also that he should have resided some time in the district to which he is appointed, that he may be acquainted with the locality and the habits of the poor, and have afforded proof of his general and professional character.

The opinion of Sir Astley Cooper, the most experienced, the most skilful, and most laborious surgeon of this or any other age, ought to

have great weight in this matter. In the parliamentary inquiry of last Session, he was asked, (Question 16,048.) "Do you consider it of importance that the medical practitioner in attendance upon the poor should be a man of some standing and residence in the district, and that he should also be in attendance upon the rich?"—A. "You ought to look out for the same man to attend upon the poor, as you would be satisfied with in your own family; make the case your own and you are sure to be correct." Question 16,049. "You do not think it advisable to introduce strangers to practise among the poor, if there are resident practitioners willing to take the office?"—"If a very clever man comes into that part of the country very highly recommended, I see no reason why you should exclude that medical man, even supposing there were resident practitioners there; but if a medical man comes into the district, and says, I will attend for 50*l.* where the resident practitioner has offered to attend for 100*l.*, there can be nothing more horrible or degrading to the profession, or more injurious to the poor."

Acting, therefore, upon these and other suggestions of Sir Astley Cooper, it is proposed that no gentleman who holds only the licence to practise as an apothecary, should be appointed to the care of the poor, but that either a diploma for surgery or medicine should be necessary in addition; in fact, that the candidate should have been examined in all departments of the profession which he may be called upon to practise; that he should be of five years' standing in the profession, and have resided in the district at least one year.

There is a point connected with this subject, which in the opinion of the council is of much importance—it is the jealous feeling which is often excited in the profession by the appointment of one medical gentleman, perhaps out of a considerable number, to the exclusion of the rest; and the poor themselves, by being limited to this particular gentleman, are often dissatisfied with their attendant; or circumstances may arise to destroy the good understanding which ought to exist between a patient and his medical attendant. The plan of each legally qualified practitioner of a certain standing and residence in the district becoming the medical officer by rotation (*seniores priores*) has been proposed, to prevent the unpleasant feelings which might arise from one person always holding the situation. But there would be considerable objection to this; qualification and character would not have their proper influence; there would, in fact, be no selection, and it would not remedy the evil as regarded the poor, who might naturally dislike an annual change of their medical attendant. It is therefore submitted to the Poor Law Commissioners, that the poor might, under certain regulations, be allowed to send for the medical gentleman in the district in whose skill they most confide. It is believed, could this be effected, it would be more gratifying to the poor, and more satisfactory to the profession. For details, see plan 2nd.

In considering the document submitted to them, the council beg to remark that they think the different points of inquiry are exceedingly judicious, and the queries well calculated to elicit important information. They may, however, be allowed to doubt, whether the knowledge which the Assistant Poor Law Commissioners might themselves possess, or might obtain from Boards of Guardians, would be altogether free from

prejudice on the one hand, or whether they would, on the other, be very cognizant of, or likely to have given much attention to the complaints of the poor, of the public, or of medical men, against a system which their feelings and interests are naturally greatly in favour of. Much statistical and other information in connexion with this subject has been elicited by the Parliamentary inquiry, and by other means, on some of the most important points, particularly as to questions 1st, 2nd, 3rd, and 8th, but doubtless much important knowledge will also be added by the Assistant Poor Law Commissioners, which could not be readily obtained through other channels. Since receiving the document, the Council have deliberately considered and discussed it, and have also had considerable correspondence with the medical gentlemen in many parts of the country on its previous points, as well as on the general question of medical relief to the poor; and they now beg to submit the result of their considerations to the Poor Law Commissioners.

I. 'Mode of selection of the medical officers.'

The most general method seems at first to have been by appointing the old medical attendants by contracts at greatly reduced salaries, which have been fixed by the Guardians without sufficient data or proper reference to the nature and extent of the duties and responsibilities of the office. In cases where the Guardians and the medical men have differed as to the amount of salaries, the system of "tender" has been resorted to, with the approbation of the Poor Law Commissioners, as shown in their Second Report, page 23; and frequently the lowest tender has been taken in opposition to character, personal qualification, and residence, as in the Aylesbury, Wallingford, Eastry, Hambleton, Ongar, Penshurst, Wheatenhurst, Leighton Buzzard, the Bridgewater, and other Unions [*Medical Inquiry*, Question 14,891]; and although it was understood that, in compliance with the recommendation of the Committee of Parliament, this system should thenceforth not be put in practice, yet it has lately been adopted in the Halifax, Cirencester, and Westbury-upon-Severn Unions; in the Windsor Union, where a stranger was introduced, and at Greenwich where the lowest tender was taken.

II. "The mode of fixing and apportioning the salaries of the medical officers in each Union or parish, &c."

Can only be known by the returns of the Assistant Poor Law Commissioners, or other authorities; but there appears to be no uniformity of plan, or proportion between the amount of salaries and the number of sick cases or average number always on the books.

III. "Dissatisfaction as to "1st. Size of medical district."

Medical men consider that the present districts are about double the average size that they ought to be, to ensure proper attention to the sick poor. The average size of districts for the whole Union, in 1837, was $21\frac{1}{2}$ square miles, but in some cases the districts are much larger. Leighton Buzzard is 55 square miles, extending in one direction eight miles from the surgeon's residence; the Newbury Union 72 square miles, extending $7\frac{1}{2}$ miles from the surgeon's residence; Wallingford

Union 26 square miles, boundary in one direction eight miles from the surgeon's house; in the Wokingham Union, district No. 1, the area is 25 square miles, and the surgeon residing out of the district may have to go $8\frac{1}{2}$ miles to see a patient; Okehampton Union, district No. 2, is 54 square miles, eight miles in one direction from the surgeon's residence; in Northleach, in Gloucestershire, the upper and lower districts are not distinguished, but the area of both is 109 square miles, the surgeon residing out of the district, and it is 11 miles from his residence to the southern extremity of the district; Kington Union, area not given, but the surgeon resides 10 miles from the boundary in one direction; Ledbury Union, district No. 2, the distance from the surgeon's residence is 11 miles in one direction, and 10 miles in another; in Leominster Union, district No. 3, the area is 25 square miles, and the distance of the surgeon's residence is in one direction 12 miles; in the Hertford Union, district No. 3, the distance from the surgeon's residence in one direction is 10 miles; in the West Broughton Union, Lancashire, the distance of the boundary is in one direction 11 miles from the surgeon's house; in the Colton district it is 10 miles; in the Thetford Union, Norfolk, the distance from the surgeon's house is $11\frac{1}{2}$ miles in one direction; in the Atcham Union, Shropshire, a resident surgeon who had attended the poor, Mr. Millington, sent in a tender, but a non-resident surgeon, Mr. Brooks, sent a tender 5*l.* lower, which was accepted, and, in consequence, the poor had to travel some miles across a wild and dreary district ere they could procure the assistance of the parish surgeon.

2nd. "Dissatisfaction as to the remuneration of the medical officers."

General dissatisfaction has arisen in the profession as to the amount of remuneration. It is lower than under the old system (and it was then very inadequate), while the duties have been increased by the districts, having been increased in size, and the number of medical officers lessened where the patients are numerous. Keeping the weekly and other registers, and granting certificates, &c., is a considerable tax upon the time of the medical attendants. Amounts of remuneration have frequently been fixed by the Guardians without consulting the medical men, and without considering the intrinsic value or usual remuneration for medical skill and attendance. If objections were made, or reasons advanced, against these arbitrary proceedings, the reply has been to this effect:—"If you do not choose to accept our terms, we can easily procure candidates who will;" and thus many have been frightened into accepting inadequate sums, lest their private practice should be interfered with by strangers. When Boards of Guardians have been desirous of meeting the fair demands of the profession, then the Assistant Commissioners have refused *their* consent to the appointments, and have generally succeeded. This has happened in the Thame, the Eastry, Peshurst, Dorchester, in Oxfordshire, Tunbridge, and other Unions.

3d. "Dissatisfaction as to the qualification of the medical officers."

Sufficient care does not appear to be taken in selecting medical men of the highest qualifications for the responsible situation of medical attendant on the poor. The Poor Law Amendment Act directs that medical officers shall be appointed who are "duly licensed to practise;"

but a licentiate of Apothecaries' Hall is deemed legally or "duly licensed to practise," and yet has not been examined in surgery, and may not have studied it. No single examination or diploma from any one college or medical corporation in London, as at present constituted, can be considered sufficient evidence of competent medical and surgical knowledge. Lamentable instances of deficient skill have occurred in the Bridgewater and Kington Unions, as evidenced by actions at law and verdicts of juries. In both these instances it is understood that the medical officers had not been examined as to their knowledge of surgery. Many similar cases may occur where detection is impossible. But in not a few cases *unqualified* men have been appointed to Unions. By a return to the House of Commons, published as an Appendix to the Third Report of the Poor Law Commissioners, it appears that 27 medical officers attending the poor were practising illegally, that is, without any diploma or licence: five returned no answer as to qualification; 316 were apothecaries only, not surgeons, and consequently had not been examined on surgery; 201 were legalised (not qualified) by Act 55 Geo. III. cap. 194, that is, were never examined at all; and 355 were under five years' standing in the profession. These different classes formed *one half of all* the parochial medical officers.

4. "Dissatisfaction as to the mode in which the medical officer is chosen."—See Question 1st.

5. "As to the attendance and efficiency of the medical officers."

The efficiency of the medical officers has been alluded to in replying to query 3 under this head; and as to the attendance it would be invidious to distinguish individual cases; but the size of many of the present districts, and the plan of employing non-resident surgeons, renders it almost impossible that efficient attendance can be given, without considering the very inadequate amount of remuneration.

IV. "The discouragement or encouragement to seek medical or other relief, &c."

The Council have no sufficiently precise facts to bring forward on this head, but they have reason to believe that the new medical arrangements have not tended generally to discourage applications for medical relief, although it has been refused by the parish authorities of some Unions in cases where formerly it was freely given.

The practice seems to be various. In the per case system, where each order is an additional expense to the parish, orders are *withheld*; but where the salary is fixed, and the trouble and expense falls on the medical man, the orders are often indiscriminate. Midwifery cases are also numerous when included in the general salary, but less frequent when paid for separately.

V. "As to the practice, with respect to medical relief of the families of men usually employed at the ordinary wages of the district."

Much depends upon the feelings of the Guardians; in some Unions medical relief is withheld, except where the families are large and young; in other Unions it is given to all applicants. The mode of paying the medical officer seems to govern the practice considerably.

VI. "What is the practice with regard to men not able-bodied, &c."

In some cases to grant relief, in others to withhold it, showing that there is no uniform or well regulated plan adopted.

VII. "As to the practice of aged or infirm persons applying for orders previous to the attendance of the medical officers."

The practice varies; in some cases a pauper list is made out, and orders are not required, but more generally orders are applied for, and the surgeons are enjoined not to attend without them, except in cases of emergency. This is often oppressive to the poor when the relieving officers and medical attendant live at a distance from them.

VIII. "Do you consider any general or special alteration in the medical arrangements desirable, &c."

The Council consider that a general change in the system is absolutely necessary. See separate plan for an amended system (accompanying this document) of parochial medical relief embracing the different points.

II.—PROPOSED PLANS for an AMENDED SYSTEM of MEDICAL RELIEF and INSPECTION submitted to the POOR LAW COMMISSIONERS by the British Medical Association, comprehending the several recommendations of the Poor Law Committee.

Plan 1st.

I. The extent and population of medical districts.

1st. In densely populated districts, as in the metropolis and large towns and cities, the number of inhabitants in a medical district should not exceed 10,000, reducing that number according to the state of pauperism.

The present average number is about 15,000 inhabitants in each metropolitan or town district.

2nd. The average size of the district throughout the country generally should be about 10 or 12 square miles; the present size is $21\frac{1}{2}$ square miles. They would be thus reduced about a half, and would contain a population of 2500 instead of 5000 each.

3rd. The residence of the medical officer should be as centrally situated as possible, that the poor might have every access to his house. In some cases, for the sake of a few pounds, a medical officer has been appointed at the distance of 8 or 10 miles, when another, equally well qualified, was in the midst of the pauper patients.

II. Remuneration of medical officers; what ought to be sufficient to ensure adequate attendance and the best medicines.

1st. This should be a fixed salary, adjusted on the principles laid down in the medical evidence, and having reference to—

- a. The average number of cases.
- b. The average number constantly on the sick list.
- c. The distance and extent of district, and density of population.
- d. The absolute cost of medicines and medical appliances.
- e. The value of time and skill.

2nd. Separate charges should be allowed for midwifery, capital operations in surgery, dislocations, fractures, and vaccinations. The following schedule of charges is acted upon in the Dunmow Union, viz.—

	£	s.	d.
Midwifery, within one mile . . .	0	15	0
Ditto, beyond one mile	1	1	0
Simple fracture or dislocation . .	1	11	6
Compound fracture	3	3	0
Amputation of a limb	5	5	0
Operation for strangulated hernia	5	5	0
Vaccination, each case	0	1	6

3rd. The average charge for one person, constantly on the sick list, (or for attending 365 days of illness,) should be about 5*l.* 5*s.*, or for each case of illness, 7*s.* 6*d.*

These charges would amount to about 6*d.* a head on the whole population. The average prime cost of drugs alone for each case of illness, calculated in dispensary and hospital practice, is about 4*s.* 3½*d.*, while the average sum allowed to the Poor Law medical officers for medicines, attendance, and medical appliances, as shown by the parliamentary returns, is 1*s.* 5¼*d.* in the metropolitan districts, and 3*s.* 3½*d.* in rural districts.

III. Medical supervision, &c. It is recommended that—

1st. A medical director or commissioner should be appointed to superintend the whole medical arrangements of the Unions throughout England and Wales, under the authority of the Central Board. He should be a member of the medical colleges, and have practised his profession not less than five years. The medical return of the Unions should be sent to the director, and he should present an annual report on the national health, &c., to be appended to the Annual Report of the Poor Law Commissioners. To him should be referred all disputed questions regarding the duties and remuneration of medical officers, &c. &c.

2nd. That a medical Guardian or assessor should be elected for each Union by the resident medical practitioners (or a majority of them) willing to attend the poor, to act on their behalf with another assessor appointed by the Guardians in behalf of the Union or rate-payers.

These assessors should fix the amount of remuneration to be paid to the medical officers on the principles mentioned above, taking into consideration the peculiar circumstances of each locality. The assessors, with the assistant Poor Law Commissioners, might determine the size of the medical districts. Should the medical practitioners of any Union decline to elect an assessor, the medical director might appoint one.

4th. The medical assessor might act as the *consulting practitioner* for the Union in cases of great danger or difficulty; he might, if called upon, give advice to the Guardians on any case that might arise at the Boards requiring medical knowledge; draw up an annual, half-yearly, or quarterly Report on the health of the Union, &c., and be the medium of communication between the medical officers and the Commissioners or medical director. He should be remunerated by a moderate salary, proportioned to the duties he would have to perform, similar to auditors of Unions, &c.

5th. The medical assessor would also inquire into the qualifications of candidates where vacancies occur in the Union; such vacancies might be announced by advertisements or otherwise; the candidates would send their names to the medical assessor, who would make out a list of qualified practitioners from whom the Guardians would select the officers.

6th. In cases of real or supposed malpractice, or where dissatisfaction was expressed by the poor or the inhabitants, the Guardians might consult the medical assessor, who might investigate and decide, or refer to the medical director for decision.

IV. It is believed that the establishment of a pauper list would in general work well, and assist in carrying out the above plan; it would also facilitate the prompt administration of medical relief in a great majority of the cases requiring it, and greatly lessen the trouble of the poor and of the parish authorities, and the time lost in applying for orders, &c.

V. There is a considerable difference of opinion among medical men, as to whether the election of medical officers should be in the Guardians or in the rate-payers. There are not wanting urgent reasons why that power should not remain, as heretofore, with the rate-payers at large; and in some Unions, where the number of Guardians is small, and the fear of favouritism considerable, it might be important: but, on due consideration, the Council of the Association are of opinion that the poor cannot be better placed than in the hands of the Guardians, the representatives of the rate-payers. In connexion with this subject, however, they beg to protest against proxies and plurality of votes in the election of Guardians.

The Association are aware that doubts exist out of the profession as to the necessity for a Medical Commissioner, and that many persons even maintain that the Guardians and local authorities may manage all parochial matters perfectly well *without a Central Board*. The Association do not pretend to pronounce on the question, but they do insist that, if there be a central authority, possessing the power of *dismissing* medical officers, that authority should be both competent, known, and responsible; in fact, standing in nearly the same relations to the Union medical officers as the Director-General and the Physician-General stand to the medical officers of the army and navy.

Plan 2nd.

Should Parliament see fit not to re-appoint a Central Board of Commissioners, and should it be deemed advisable to dispense with the proposed medical director and assessors, the following simple plan might be adopted, and it might, at all events, be engrafted on the present plan as being, in the opinion of the Association, well calculated to satisfy both the poor and the medical profession.

1st. Let a list be formed of all legally-qualified practitioners in the district or Union who have been in practice a given time (from three to five years), and who have resided in the district at least one year, who are willing to attend the paupers if called upon

2nd. Let annual or half-yearly tickets be given to all the poor on the pauper list, or to those not on the pauper list, whom the Guardians may consider proper objects for medical relief. Let these tickets bear a certain value, according to the locality, &c. ; let the poor deposit their tickets with the medical practitioner whom they shall select for their attendant. The acceptance of the ticket would guarantee his attendance for the year, or half-year, as the case might be, and he would be paid the amount of his tickets quarterly.

3rd. Or, a salary being fixed, as the amount of remuneration for any district, it might be divided according to the number of tickets each medical man might hold.

In cases where the Guardians might find it necessary to give a ticket for attendance to a person actually sick, as in the instances of those not belonging to the parish, the ticket should bear a higher value.

It is acknowledged that there are several strong objections to the above plan; it would greatly lessen the value of parochial appointments, and it is feared that, in districts where there were many medical men, the responsibility, by being so much divided, would be also lessened. Any plan of medical superintendence could not be so effectually carried out, and the registers of the cases of disease would not be so carefully attended to; still the plan is worthy of a trial.

No. 7.

CONDUCT OF DISSOLUTE WOMEN IN THE WORKHOUSE.

Reports from Dr. Kay, Assistant Commissioner, relative to the parish of St. George in the East.

GENTLEMEN,

London, 28th February, 1838.

THE Board of Guardians of the parish of St. George in the East represent to you in faithful terms the evil and vexation which they suffer from the gross misconduct of the dissolute young women maintained in their workhouse on the plea of destitution. The parish of St. George is in the vicinity of the river, adjacent to the parishes of Wapping, Shadwell, and Limehouse; and though this class of women is universally found to be a source of demoralisation and disorder, not merely in the workhouses of the metropolitan district, but in all workhouses not comprising a population solely rural, the evil presents itself in an aggravated form in the workhouse of the parish of St. George in the East. The conduct of the same class in the Wapping workhouse of the Stepney Union has been scarcely less outrageous.

Several of the ablest chairmen of the rural Unions, as well as of the metropolitan, have from time to time represented to me the importance of adopting a special agency for the reformation, or, if that should prove hopeless, the restraint of these abandoned women.

The appeal which is made to the Commissioners from the parish of St. George in the East springs from a sense of the utter hopelessness of any efforts which an individual Board can make for the attainment of this object; and I think it a duty of great interest and importance to represent to the Commissioners how necessary it is to create an asylum in which, under their directions, this refuse of the prostitution of Lon-

don may be set to work, and subjected to such wholesome restraint and discipline as may be requisite for the good order of such an establishment, and may conduce to the success of any measures adopted for their reformation. In the application made to Parliament this session for the renewal of the Poor Law Amendment Act, I desire, therefore, earnestly to represent the propriety of seeking for the authority requisite for the creation of such an establishment, and for summary powers to be conferred on justices of the peace or other authorities to commit dissolute females for such a space of time, not exceeding one year, as they may see fit, to an establishment intended to accomplish their reformation.

I have the honour, &c.

To the Poor Law Commissioners.

J. P. KAY.

Enclosure with the above Report.

SIR,

6, *Wellclose Square*, 27th February, 1839.

I AM directed by the guardians of the poor of this parish to request the favour of your advice and assistance to enable them to remedy a serious inconvenience which has for some time existed, by reason of the number of young women of a dissolute and refractory character, which are inmates of the workhouse.

I enclose a statement of the names of those persons, with other particulars relating to their conduct, from which it will be perceived that they are generally disobedient to orders, abominable in their conversation, and violent and riotous in their behaviour, and that they refuse to maintain themselves in service or other employments out of the workhouse.

Previously to April last the house was not subject to the annoyances of these persons, the most disorderly of them being removed to an establishment for refractory paupers in Southwark, the influence of their example was removed, and the less ill-disposed were induced to conduct themselves with a degree of propriety; but it being discovered that so little restraint was imposed upon them, that they had the means of absenting themselves almost at will, and especially during the night, it was thought improper to suffer them to remain in that asylum, and they have since been inmates of the workhouse.

In order to compel their performance of a task of work, the guardians caused a number of separate work-rooms to be erected, in which to place, during the hours of labour, those who refused to work, but they have been found to be utterly useless. On being placed in the rooms, they have by screams and violence, beating the doors and breaking the windows, compelled their release; the disturbance being sufficient to alarm the neighbourhood; they have been repeatedly admonished by the Board, but without effect; they have been taken before the magistrates, and in some cases committed to prison, but with no better result. On returning, they have again resumed their former course of conduct; they are insensible to reproof, and heedless of punishment.

The ill effects of their continuance in the workhouse are so great as to form a very serious evil. Not only do they, by their conduct, occasion constant disorder in the house, but they ruin the morals of the younger girls, and excite amongst them a general spirit of insubordina-

tion and dislike to places of service, and so long as they have the opportunity, on discharging themselves from service, of obtaining admission to the workhouse, any improvement in their conduct appears to be hopeless. All the means which the guardians possess for their correction having been exercised in vain; they have arrived at the conviction that the only remedy is to have a power to remove these persons from the workhouse to an asylum where sufficient restraint can be placed on their conduct to render it less agreeable to them than supporting themselves in service; and they think that the knowledge of their possessing this power would go far toward reforming their characters. The guardians will hope to receive from you some suggestion which will enable them to relieve themselves of this difficulty.

I have the honour, &c.

To J. P. Kay, Esq., M.D.

THOMAS STONE, Clerk.

List of Refractory Female Paupers, Inmates of the Workhouse of St. George's in the East.

E—— B——, or A—— B——, aged 18 years, was left by her mother at the door of Aldgate Workhouse, who then started away for Gravesend. This girl's admission into St. George's Workhouse is dated 13th January, 1827, her age at that time, six years. On account of her refractory conduct, she was sent to Fry's Establishment, in the Mint, 24th June, 1837; from whence she absconded, and was re-admitted into St. George's Workhouse, 27th June; committed to House of Correction from Lambeth-street, for refusing to work, 10th October; after her imprisonment was sent to Fry's, 24th October; and ultimately re-admitted into the workhouse on the 27th April, 1838.

This girl has long been the ringleader of the refractory, and excites them to idleness and disobedience of orders by her example and advice. Her conversation is usually made up of impious oaths and disgusting vulgarity. She has also returned home drunk and insolent after the indulgence of a holiday. Having defective vision, she has not been urged to hard work, but can and does read, which, she says, suits her better than needlework.

S—— C——, aged 16 years, was admitted 20th February, 1829; was sent to place on the 20th October, 1837; re-admitted 23rd October; to place again on the 24th October; re-admitted, 22nd December; to place again, 20th January, 1838; re-admitted 27th January; to place again, 25th April; re-admitted 27th April; to place lastly, 29th January 1839; re-admitted, 5th February.

This girl will not keep a place. As a proof, her last mistress, after observing that the girl would do well enough for her, offered her 5s. to stop till she was suited with another servant, which she refused to do, preferring to join her associates in the workhouse. In consideration of her being an orphan she was placed in the matron's kitchen to qualify her for service, but her excessive impudence and desire to mix with the other girls prevented her being any longer retained there. She refuses to work when ordered.

A—— M——, aged 17, was admitted in a dangerous state of fever on the 21st September, 1837, and became troublesome soon after her

recovery; was sent to service on 19th May, 1838; returned 25th May; again to place, 14th June; returned 15th June; committed to prison from Lambeth-street, for refractory conduct, 17th September; re-admitted, 6th October; to place, 3rd November; returned to workhouse, 23rd November; to place again, 12th December; returned to workhouse, 14th December.

This girl is excessively stout and strong, but lazy and insolent; it is very difficult to keep her at work, and she is very active in the gang.

E—— D——, aged 15, and sister, M—— D——, aged 17, both admitted 5th February, 1838; Eliza committed to House of Correction from Lambeth-street, for refractory conduct on the 5th July; re-admitted, 16th November; Mary discharged 1st September; re-admitted 16th November.

These girls are active followers of Elvina Benneworth. I have much trouble in keeping them at work, which they sometimes refuse to do, and their general behaviour is that of insolent and refractory paupers.

L—— B——, aged 15, admitted, 8th April, 1836; discharged 25th July; re-admitted, 27th July, 1838; to prison for riotous conduct and refusing to work, 3rd November; re-admitted, 23rd November.

This girl is altogether wicked. Her aunt says she is dishonest, and addicted to lying. She is dirty in her person, disobedient to orders, and a ready companion of the worst characters in the house.

C—— R——, aged 18, was admitted, 23rd March, 1837; sent to service, 27th July; returned to workhouse, 4th September; to place again, 15th November; returned 5th April, 1838; to place, 24th April; returned 22nd May; to place, 27th July; returned, 12th October; to place, 23rd October; returned, 8th January, 1839; to place, 10th January; returned, 22nd January; to place again, 29th January; returned, 31st January.

The chief fault of this girl is her evident carelessness in keeping her place, while she has always a ready asylum at hand in the workhouse. With regard to her being refractory, she does not openly join the gang.

M—— B——, aged 14. It is about eight years since her first admission, and she was sent to place in March, 1838; re-admitted, 22nd August; to prison, 3rd November; re-admitted, 23rd November.

This girl is a victim to the bad example of the others.

M—— L——, aged 16, admitted, 3rd March, 1838; to prison, 17th September; re-admitted, 6th October; to prison 3rd November; re-admitted, 23rd November.

Says she does not care much about prison, and is always ready to join in any disorder.

M—— P——, aged 17, was three years old when first admitted; was sent to West Ham at nurse; to place, 13th November, 1837; returned, 17th July, 1838; to place, 21st July; returned, 27th July; to place, 25th September; returned, 2nd October; committed to prison, 3rd November; re-admitted, 23rd November; to place, 23rd January, 1839; returned to workhouse, 29th January.

This girl is very idle, very insolent, and the most sullen girl I ever met with, and bids fair to be a perpetual burden on the parish, while such facility exists for her admission into the workhouse, on her quitting

her various situations. This last remark applies to many of the others, as well as to several now out of place, but whose quick return is more than probable.

J—— W——, aged 15, admitted 15th June, 1838; to prison, 3rd November; re-admitted, 23rd November.

A very disorderly girl, neither able nor willing to go to service, but a resolute companion of the refractory ones.

M—— A—— R——, aged 20; was brought up in Raine's Asylum; admitted into workhouse 20th February 1838; sent to place, 3rd March; re-admitted, 31st January, 1839.

A strong hearty young woman. A companion of the refractory, and has refused my order to work. I have heard of a place for her, but she says she will not take it, because she is breeding.

E—— M——, aged 19; first admission, 3rd March, 1825. I cannot find the date of her discharge, but she appeared at the workhouse lastly on the 6th February, 1839.

On the very day after her admission I observed her make her way to the refractory girls, on which I admonished her, since which she has conducted herself with insolence and disorder. I know but little more of this girl at present.

M—— B——, aged 22, admitted into the house at about the age of two years:—

Sent to Service.	Returned to Workhouse.
1836, September 19th.	1836, October 8th.
1837, February 1st.	1837, February 3rd.
„ May 25th, to Mr. B——.	„ August 17th.
1838, January 18th to Mr. C——.	1838, January 29th.
„ April 4th, to Green Bank, and afterwards to the Rec- tor's.	„ July 18th.
„ September 7th, Mrs. W——, Lucas-street.	„ September 10th.
„ September 18th, to Mrs. F——.	„ September 20th.
„ December 10th, two places.	1839, January 12th.
1839, February 13th, to Watney- street.	„ February 19th.

This young woman sometimes leaves her place under the plea of sickness, which has once or twice been the fact, but she has generally been well in about two days, and given proof thereof by her turbulence and impudence. She is very artful and dangerous.

(Signed) C. J. KING, *Master.*

Report from Dr. Kay on the Stepney Union.

GENTLEMEN,

London, 16th April, 1839.

THE letter from the clerk of the Stepney Union respecting the inconvenience arising from the unrestricted re-admission at all hours of the day and night, of young women of profligate character, who have

recently left the workhouse, ought to be considered in connexion with the representations made by the Board of Guardians of St. George-in-the-East.

The Wapping Workhouse of the Stepney Union is within a few hundred yards of the workhouse of the parish of St. George-in-the-East, and they both contain a considerable number of the same class of unruly prostitutes.

The strong representations made by the parish of St. George-in-the-East respecting the conduct of this most turbulent class of inmates might, with almost equal strength, be made by the Board of Guardians of the Stepney Union, respecting certain of the profligate young women in their workhouse at Wapping.

The present complaint of the Board of Guardians of the Stepney Union presents a difficulty not easily remedied, as the law, or its administrators, do not appear to think it expedient to treat wandering about the streets to procure a livelihood by prostitution as vagrancy, and there is a difficulty in making a special exception from the ordinary practice, because the prostitute comes from a workhouse to pursue her profession, instead of from her own lodging. It is certain that many of the cases which are now taken by the police to the workhouses on account of simple destitution, especially within the city, ought in the first instance to be carried to the station-house, in order to be brought before the magistrates as vagrants; but I do not perceive that the proper remedy for the evil complained of by the Stepney Board lies in the committal of the prostitute to an ordinary prison. I therefore repeat to the Commissioners my recommendation that application be made to Parliament for powers enabling the Commissioners to create an establishment for the correction and reformation of the most abandoned class of destitute and profligate women, to which asylum they may be committed by a Board of Guardians, with the approbation of two justices of the peace, whenever it may appear to a Board of Guardians that the habits of such women in the workhouses are so shameless and turbulent as to require a peculiar discipline for their restraint, and to render the adoption of means for their reformation more than usually difficult.

For the success of such an establishment, if necessary, the power to detain these prostitutes for a certain limited period should be given to the governing body, and as I do not think that such power is as yet included in the draft of the Bill prepared to be laid before both Houses of Parliament, I am desirous to draw the attention of the Commissioners to the importance of including such powers among the amendments of the law.

It may be desirable to reply to the Stepney Board that the Commissioners have in contemplation the formation of an establishment, if powers for that purpose can be obtained, for the correction and reformation of the lowest class of profligate pauper females.

I have the honour, &c.

To the Poor Law Commissioners.

J. P. KAY.

No. 8.

CLASSIFICATION OF FEMALE INMATES OF THE WORKHOUSE.

Correspondence with the Board of Guardians of the Bourn Union.

SIR,

Bourn, 1st April, 1839.

The Guardians of this Union request the sanction of the Poor Law Commissioners to the adoption of the following suggestion and recommendation of the visiting Committee, viz. :—

“That the able-bodied *married* women and *widows* be removed into the *aged* women’s ward, to avoid the contamination and degradation of associating with women having bastard children and other lewd and disorderly characters.”

It will be observed from our weekly return, that there are only four aged or infirm women in the house, to whom it is considered the society of their juniors, of good character, would be rather acceptable than otherwise; whilst the latter would be relieved from the corrupting influences and disgusting conversation and habits, as well as from the sense of degradation which is inflicted upon decent minds by a compulsory association with women of abandoned character, who, I regret to say, appear to make a convenient use of the Workhouse as a lying-in hospital and nursery for themselves and their illegitimate offspring.

I am, &c.

W. D. BELL,

Clerk to the Bourn Union.

To Edwin Chadwick, Esq.,

Secretary to the Poor Law Commissioners.

Poor Law Commission Office, Somerset House,

6th April, 1839.

SIR,

The Poor Law Commissioners acknowledge the receipt of your letter of the 1st instant, requesting them to sanction an alteration in the classification of the inmates of the Workhouse, so as to permit the able-bodied married women and widows to be removed to the aged women’s ward.

The Commissioners agree to the proposed alteration in the classification of the inmates of the Bourn Union Workhouse, on the grounds upon which the visiting Committee recommend the change, provided that by the removal of this portion of the able-bodied women from the ward assigned to paupers of their class, they are not thereby relieved from pursuing the daily employment provided for them.

Signed by order of the Board,

To W. D. Bell, Esq.,

Clerk to the Guardians, Bourn.

E. CHADWICK, *Secretary.*

No. 9.

RIGHT OF DISEASED PAUPERS to leave the WORKHOUSE and return.

Correspondence with the Board of Guardians of the Richmond Union, Surrey.

GENTLEMEN,

Richmond, 1st January, 1840.

A case has lately occurred here upon which the guardians request your advice.

A woman, labouring under severe venereal disease, asked leave to quit the house for a short period: the master, knowing that it was neither safe for herself nor others, refused permission, upon which she gave the three hours' notice, at the expiration of which she left the house.

In three days' time she applied to the relieving officer; and he, seeing her in a state of the greatest destitution, gave her an order for the house, and she was re-admitted.

By this means she obtained the object she had in view, which was to visit the man with whom she had formerly cohabited.

The Guardians conceive that if persons are to be thus at liberty to go out of the house and return at pleasure, by merely availing themselves of a formal notice, intended only for those permanently quitting, the necessary discipline of the house cannot be properly maintained; and, in cases like the one mentioned, disease might be spread amongst the community.

They request, therefore, to know your opinion, whether it would be lawful to prevent persons leaving the house whilst labouring under any dangerous or infectious disease, and being thereby in a manifestly unfit state so to do; and this, whether the disease may in its consequences be dangerous to themselves only, or to the public at large?

I have the honour, &c.

WILLIAM CHAPMAN,
Clerk to the Guardians.

To the Poor Law Commissioners.

*Poor Law Commission Office, Somerset House,
8th January, 1840.*

SIR,

The Poor Law Commissioners acknowledge the receipt of your letter of the 1st instant, in which you state the case of a woman who left the Workhouse temporarily in a state of disease; and you inquire their opinion, whether it would be lawful to prevent persons from leaving the house whilst labouring under any dangerous or infectious disease, and being thereby in a manifestly unfit state so to do.

The Commissioners have received numerous communications respecting the expediency of detaining in the Workhouse persons who are, in fact, unable to maintain themselves, and who leave the Workhouse with a full knowledge that destitution will drive them back to it after a few days' absence.

In general, such short absences are used for a bad purpose by persons who, finding the temperance, cleanliness, and order of the Workhouse irksome to them, wish to enjoy a short interval of riot and debauch. Young women in particular are in the habit of leaving the Workhouse in this manner for short periods, which are, it is feared, commonly employed by them for purposes of disorder, drunkenness, prostitution, and other mal-practices.

The Commissioners have frequently been applied to by Boards of Guardians, to furnish them with a remedy for the inconvenience just stated, and they have, on several occasions, issued a regulation, subjecting to a different treatment paupers who should re-enter the Workhouse after a short absence. On a reconsideration of the matter, the Commissioners doubt whether such a regulation is strictly consistent with the purposes of the Poor Law Amendment Act, and they are unwilling to

issue any such order in future without some more unambiguous legislative authority.

The case which you have stated in your letter differs from the ordinary cases, only in the diseased state of the woman, and the probability that, if she were allowed to go out of the Workhouse, she would damage her own health, and communicate her disease to others.

With respect to the probable damage to her own health, the Commissioners are of opinion that she is alone responsible for the care of it, provided that she be an adult, and of sound mind.

With respect to the probable damage to the health of others, the Commissioners think that so long as a person having an infectious or contagious disease remains in the Workhouse, the master is bound to prevent the spread of the disease, and is empowered to take the measures necessary for that purpose. But if such a person, being an adult and of sound mind, wishes to leave the Workhouse, the Commissioners think that the officers of the Union have no power to detain him in it, and are not responsible for anything which he may do after he has left it.

It might, perhaps, be expedient that the Guardians should be intrusted with additional discretion for dealing with cases such as that adverted to in your letter; but the Commissioners do not feel confident that they have, under the present law, the means of enabling the Guardians to make any distinction between these and ordinary cases.

Signed by order of the Board,

To *W. Chapman, Esq.,*

E. CHADWICK, Secretary.

Clerk to the Guardians, Richmond, Surrey.

No. 10.

REFUSAL of Permission to ORPHANS and DESERTED CHILDREN to leave the WORKHOUSE under certain circumstances.

Correspondence with the Board of Guardians of the Beverley Union.

GENTLEMEN,

Beverley, 6th January, 1840.

A girl in the Beverley Workhouse, about thirteen years of age, who is deserted by her parents, has made application to the Guardians to leave the house and go to a situation, which she said she had in view. The Guardians, on making inquiry into the character of the woman into whose service the girl intended to go, found that she kept a house of ill fame, and consequently refused to grant the application.

I am therefore directed to request your opinion, whether the Guardians, under the foregoing circumstances, were justified in what they did; and also, whether they have the power to refuse the applications of orphan children, and children deserted by their parents, to leave the house, when, in leaving it, the Guardians are perfectly aware that the children have no prospect of amending their condition?

I have the honour, &c.

J. BOYES,

Clerk to the Union.

To the Poor Law Commissioners.

Poor Law Commission Office, Somerset House,

18th January, 1840.

SIR,

The Poor Law Commissioners acknowledge the receipt of your

letter, dated the 6th instant (received the 15th instant), stating that a deserted child, aged 13 years, had applied to be allowed to leave the workhouse to undertake a situation which she stated she had procured; which application the Guardians had refused, on finding that the woman who intended to employ the girl kept a house of ill fame; and inquiring whether the Board of Guardians were justified in doing so, and whether they have the power to refuse similar applications from orphan children, and children deserted by their parents.

The Poor Law Commissioners desire to state that, in the cases of orphan children, and children deserted by their parents, who may be inmates of the workhouse, the Commissioners think that the Guardians, and the master of the workhouse as their officer, have over such children the same control which a guardian possesses over his ward, and therefore the Commissioners think that the Guardians may lawfully refuse to allow any infant pauper to leave the workhouse who has no parent or other relation willing to maintain him, provided that he has not attained the age of 16 years, at which age an infant may, by the common law, choose his own guardian. In the case stated in your letter, the Commissioners consider that the Board of Guardians has exercised a very sound discretion in refusing to permit the child to leave the workhouse to accept a situation under the circumstances stated.

(Signed by order of the Board)

To *J. Boyes, Esq.*,
Clerk to the Guardians, Beverley.

E. CHADWICK, Secretary.

No. 11.

LUNATIC and IDIOT PAUPERS.

Correspondence with the Board of Guardians of the Boston Union.

GENTLEMEN,

Boston, 6th April, 1839.

I have to refer the following case for your advice and instruction:—

William Sheriff, aged 30, and belonging to Boston, is a poor, half-idiotical pauper. He has been frequently in the workhouse; but, after remaining for a few days, and getting well fed and clothed, absconds, taking away with him the Union clothes. He lives for a time in out-houses, barns, or anywhere he can get, and generally returns to the house in a state of emaciation and disease, where, after remaining a short time, he again absconds.

The Board are unwilling to press any harsh measures against this poor idiot, but are at a loss how to deal with him; and I am directed to ask your instructions in the matter. It has been suggested that he should be clothed in some remarkable dress, or have some badge put upon him, that would, if possible, prevent him from leaving the house. A doubt was, however, expressed as to the legality of such a course, and it was agreed to defer any proceedings until your answer be received.

I am, &c.

JOHN GEORGE CALTHROP, Clerk to the Union.
To the Poor Law Commissioners.

Poor Law Commission Office, Somerset House,
12th April, 1839.

SIR,

The Poor Law Commissioners, in reference to your letter of the 6th instant, requesting their advice in the case of William Sheriff, an idiot, who is in the habit of leaving the workhouse, and after a short interval returning in a state of destitution and disease, wish to inquire whether the most advisable course in this case would not be to send the pauper to a lunatic asylum?

Signed by order of the Board,

E. CHADWICK, *Secretary.*

To John George Calthrop, Esq.,
Clerk to the Guardians, Boston.

Letter from the Clerk of the Bedford Union.

DEAR SIR,

16th April, 1839.

It is extremely desirable that in any measure submitted to Parliament, to facilitate the working of the Poor Law Amendment Act, power should be given to justices to make orders in the same manner as under the 43 Eliz., to compel persons who are of sufficient ability to contribute towards the expense of the maintenance of their wives who are confined in lunatic asylums at the charge of the parishes to which they belong. Cases of this description have occurred in this Union, in one of which the husband was summoned before the justices, who considered they had no jurisdiction under the 1 & 2 Vict. c. 14, which authorises the distress to be made on the goods of the *lunatic*, and, being a married woman, had no effects. They also were of opinion a conviction could not take place under the Vagrant Act, that statute applying to idle and dissolute persons, who suffer their families to become chargeable through their own misconduct: it being by the Act of God, and not through the husband's neglect, that she was thrown upon the parish.

I remain, Sir, your faithful servant,

SAMUEL WING, *Clerk to the Union.*

Robert Weale, Esq.,
Assistant Poor Law Commissioner.

No. 12.

RELIEF TO MENDICANTS.

Correspondence with the Board of Guardians of the Winslow Union.

GENTLEMEN,

Winslow, 16th December, 1839.

I am directed by the Guardians of the poor of the above Union to request the favour of your directions under the following circumstances:—

By the mendicity regulations, the expense of maintaining vagrants is thrown on the individual parishes from which the mendicants are sent; and in this Union, as I believe is the case in other Unions in rural districts, tickets are but rarely issued in parishes distant from the Union workhouse; but the mendicants come on and apply for tickets

either to one of the officers of the Union, or to some other rated inhabitant living near the workhouse. The result is, that in the present quarter, while 46 mendicants have been relieved at the charge of Winslow parish, not one has become chargeable to either of the 16 other parishes in the Union. Several of them have remained for a short time, on account of their inability to proceed on their way; and recently a woman has been delivered of a child within a few minutes after she entered the yard.

The subject has been mooted before the Board to-day, some of the Guardians considering it would be more just that the cost of relieving mendicants should form part of the establishment charges, instead of being thrown, as it is at present, almost exclusively on one parish.

The Guardians will feel much obliged by your informing them what is done in other Unions, and directing them as to the course they ought to pursue.

I have the honour, &c.

DAVID THOMAS WILLIS, *Clerk to the Union.*

To the Poor Law Commissioners.

*Poor Law Commission Office, Somerset House,
20th December, 1839.*

SIR,

The Poor Law Commissioners acknowledge the receipt of your letter of the 16th instant, bringing under their notice the effect of the mendicity regulations in the Winslow Union, in throwing the whole of the expense of maintaining mendicants upon the parish of Winslow, wherein the workhouse of the Union is situated; it being found that tickets are but rarely issued in the more distant parishes, and that in the present quarter, while 46 mendicants have been relieved at the charge of Winslow parish, not one has become chargeable to any of the 16 other parishes of the Union.

The Commissioners, in reply, desire to state, that they are sensible that, in the present state of the law, the parish wherein the workhouse of a Union happens to be situate is burthened with an undue proportion of expense as respects the relief of mendicants, and they trust that a legislative remedy will be applied to this evil in the course of the next session of Parliament.

Signed by order of the Board,

E. CHALWICK, *Secretary.*

*David Thomas Willis, Esq.,
Clerk to the Guardians, Winslow.*

No. 13.

THE UNION OF PARISHES FOR PURPOSES OF RATING AND SETTLEMENT.

Letter from the Clerk of the Ely Union.

GENTLEMEN,

Ely, 28th April, 1839.

I trust I shall be held excused in suggesting that, in the event of a bill being introduced into Parliament this session for the removal of certain technical and other difficulties which have been found to clog the due and proper administration of the present Poor Laws, a clause

may be inserted, *enabling the Poor Law Commissioners to unite two or more parishes in the same Union for the joint purposes of rating and settlement.*

As the law at present stands, no *partial* Union can take place, sec. 33 and 34 of the Poor Law Amendment Act only permitting a coalition of *all* the parishes for such purposes.

One case in this Union will best illustrate the advantage of a provision of the kind suggested, and has, in fact, chiefly induced me to address you on the subject.

Case.

The city of Ely consists of two parishes, Ely Trinity and Ely St. Mary's. Prior to and at the time of passing the 43rd Elizabeth, the surrounding lowlands were almost constantly under water, and of course no parochial boundary between the two parishes ever existed in that direction. In the reign of Car. II. the "Adventurers," as they were called, headed by the Duke of Bedford, succeeded in making these wild swamps profitable for pasture during the summer months, and by an Act of 15 Car. II. power was given to enclose and allot the same in severalty to the various owners of common rights, &c., therein.

A decree was accordingly made, in pursuance of this last-mentioned Act, allotting certain parcels to every commonable messuage in the city of Ely, but *no parochial division was ever made*; so that it frequently happens that the parishes of Trinity and St. Mary alternate in the same reach of land.

And now, when from lapse of time it has become difficult, and in many cases impossible, to trace the land back to the original decree (which, by the way, has been abstracted from the church chest), the question as to which of the two parishes many of the parcels of ground belong to becomes exceedingly difficult to solve, and (as might naturally be expected) excites jealousy and disputes.

This intermixture of the lands of the two parishes has been found exceedingly inconvenient in questions of settlement either by estate or service (especially now that houses are springing up in the fens in great numbers), it being next to impossible to determine satisfactorily in which of the two parishes the pauper whose settlement is in dispute resided at the time of acquiring it.

A *joint* map has just been completed of the said parishes under the Parochial Assessments Act, and a *joint* valuation for the same purpose is now in progress; but when all this is done, one insuperable difficulty in the way of making a *separate* legal rate for each parish will remain, inasmuch as it is confessedly impossible to determine to which of the two parishes many parcels of fen land belong; and a mutual compromise and understanding between the vestries of the two parishes to take each of them a certain proportion of land (even if they came to such an agreement, which appears to me exceedingly problematical) would not affect the legal question, and might give rise to much litigation and consequent expense in case the rate was disputed.

The simple and (to my judgment) only effectual remedy for this is to enable the two parishes to unite, and be deemed one for the purposes of rating and settlement.

Besides the removal of the difficulties above enumerated, a number of positive advantages would spring from the amalgamation of the

two parishes, such as the constituting one medical district, one registrar's district, and they ought to be and might very advantageously be made a rate-collecting district, having a compact population of 7000 souls, and an area of 17,000 square acres.

Begging to apologise for intruding the foregoing remarks upon your attention,

I have the honour, &c.

WILLIAM MARSHALL, JUN.,

Clerk to the Ely Union.

To the Poor Law Commissioners.

No. 14.

EXPENSE OF PROSECUTING for the DESERTION of WIVES and Families by Husbands and Fathers.

Letter from the Board of Guardians of Tewkesbury Union.

Board of Guardians, Tewkesbury Union.

SIR,

7th March, 1839.

Our Board of Guardians will be obliged to the Poor Law Commissioners to inform them if they think it likely that any alteration will be made in the law which will authorise the overseers to charge on the poor-rates the expenses of apprehending and punishing paupers who run away and leave their families chargeable to their parish. There are several paupers belonging to this Union who have lately left their families, and might be apprehended if the parish officers could be paid their expenses. Our Guardians think there would be little chance of getting them punished by giving the relief by way of loan, and they intend, if the Commissioners think it not likely than an alteration will be made in the law, to petition Parliament on the subject, and endeavour to prevail upon other Boards to do the same.

I am, Sir, &c.

SAMUEL RICKETTS.

E. Chadwick, Esq.

Clerk to the Union.

No. 15.

PAYMENT OF COSTS OF PROSECUTIONS out of the RATES.

Letter from C. Lane, Esq. to R. D. Neave, Esq., Assistant Commissioner.

DEAR SIR,

Badgemore, 5th March, 1839.

I beg to call your attention to the consequence of the decision of the Poor Law Commissioners, that the costs of prosecutions adopted by the authorities of a parish, in cases where disability may exist to undertake such a proceeding in the suffering party, cannot be allowed out of the poor-rates, by which persons from poverty or nonage are unable to obtain the redress the law affords to others not so situated, it being remembered that the power given to the court under the 23rd section of Geo. IV. cap. 64, refers to certain cases of misdemeanour only.

Within my own experience as a magistrate the case has occurred. A little child, 12 years of age, from the concurring testimony of every neighbour, is proved to have been grossly ill-treated for a considerable period by her father, frequently under the instigation of her step-mother, and at last the father threw a quantity of boiling water over her and left her alone in the cottage at night, with directions to remain there till he returned the next night, a piece of bread and a glass of water being left for her sustenance. Nor did the man (the step-mother being absent) return till the following night. The little girl, however, urged by the intensity of her suffering, managed to crawl more than half-a-mile to a neighbour in the morning, who immediately dressed her wounds, and medical relief being obtained, she was cured. This offence appeared to be one of that aggravated character (as the medical men said that if the child had been left for 24 hours without proper attention, serious and even fatal consequences might have arisen) which the Act directed should go to the court for hearing, and not be treated in a summary way by two magistrates, whose power of punishment is confined to a fine of 5*l.* or a short imprisonment; but as the costs on the hearing before the magistrates and of the prosecution could not be allowed out of the county rates by the court, or by the auditor out of the poor-rates, it was considered preferable to treat the case as a summary conviction, rather than that any one should undertake the prosecution at the risk of being indemnified by a public subscription, it being estimated that the cost would amount to 30*l.*

In the case of Pasfield, brought before the Central Criminal Court on the 6th February, for slaying his son, in not affording him proper maintenance and medical relief, the inability to conduct the case properly was commented upon by Mr. Justice Vaughan as arising from the causes I have referred to,—the inability of resorting to the poor-rate for the expenses.

I would beg to suggest the strong necessity which exists of provision being made for cases similar to those which I have alluded to either out of the poor or county rate.

I remain, dear Sir,

Yours very faithfully,

CHARLES LANE.

To R. D. Neave, Esq.,
 &c. &c. &c.

No. 16.

LETTER from H. LEACH, Esq., J. P., Chairman of the Haverfordwest Union, addressed to R. D. NEAVE, Esq., Assistant Commissioner, on the operation of the Poor Law Amendment Act, and the renewal of the Commission.

MY DEAR SIR,

Milford, 5th December, 1839.

I have already stated to you some reasons for the opinion which I have strongly entertained, and which the experience of the new law, as well as a very long experience of the old law, all serve to strengthen and confirm, of the necessity of the continuance of the Commission, and of a visiting or assistant commissioner: the latter should have no more Unions imposed upon him than he could actually and effectively

superintend the working of, and a part of his duty should consist in the audit of the accounts, and thus he would altogether be enabled to preserve, what otherwise never will be preserved, uniformity of practice according to the principles of the law, without a strict attention to which the whole system will go backwards, till it closely borders on all the evils which existed under the old law, and be distinguishable only by a new name. Now let us recollect that almost everybody has attributed the evils which were rapidly conducting the country to ruin to a departure from the principles upon which the statute of Elizabeth was framed, and yet there was nothing to prevent (except an expensive appeal to the authority of the Court of King's Bench) every parish in the kingdom from putting their own separate construction on that statute: and they did so, except in one case in which they were all agreed, namely, that the overseer should feast the vestry, who, in their turn, allowed him to pass his accounts without any strict audit or examination, and the passing them before magistrates had become a mere matter of form. In this parish, situate in a remote rural district, a feast on the day of settling the accounts, which nobody looked at, has cost 50*l.*, and yet one of the farmers, who was paying 40*l.* a-year, never once thought that he was contributing this amount, with all the other rate-payers in a similar proportion, to the system of extravagance of which this dinner formed an item. I instance this farmer, because he told me, when I induced them to adopt Sturges Bourne's Act, which led to a reduction of the rates from 1,300*l.* to 460*l.* a-year, that his rates were 40*l.* a-year less. I am quite aware that centralisation, carried to an extreme, may occasion the most serious evils by producing an apathetic effect on the minds of the educated and intelligent part of the community, who should rather be roused to active exertion, and be induced to bear an active part in administering the laws of a free country; but I am equally sensible that we have gone into a pernicious extreme on the other hand, and have produced the evils we would avoid. We have forgotten that the majority of mankind prefer ease to labour, and that exertion and strict attention can only be depended upon when the execution of public duties is accompanied by reward and responsibility. Every parish in the kingdom, in the administration of all its concerns by parochial officers of every kind, and the practice of the public functionaries, to whom they are accountable, will furnish you with abundant proofs of the truth of these observations.

I shall now mention some facts which, in my opinion, confirm the correctness of the view I take of the subject. The revenue collected under the authority of the Commissioners of the Customs amounts to about 20,000,000*l.* a-year; it is sufficiently obvious that the machinery of an establishment necessary for such a purpose must be extensive and complicated. Its complexity had been much increased by time and a want of the frequent periodical inspection and supervision which alone could ensure method, uniformity, and order: and the consequence was, that the parts were unequally loaded, the means and the end were unsuited to each other, and gave rise to want of energy and zeal, and to the introduction of discrepancy in practice, as well as to corruption. In this state of things the Commissioners of the Customs determined upon the adoption of a plan which never could have been effected by

mere correspondence alone. There is a class of officers called Surveyors General, precisely the same as your Assistant Commissioners.

It was determined that a strict survey should take place every year, by one of those officers, of every port in Great Britain and Ireland, and for this purpose each officer had a certain number of ports assigned to him in each year. The first who came to the port of Milford, in the year 1815, was more than two months constantly employed; to the second the difficulty was very much diminished; and to the third still more so. Some additional ports were then added to each officer; but thoroughly to remove abuses was not the work of a few years only. It took 11 or 12 years to establish a system of order, discipline, method, and economy. At length it has been effected; the saving has been enormous in time, in labour, and in money. The whole revenue in Ireland is collected for less than the collection of the port of Dublin cost, and the last Surveyor General, Mr. Dowding, who was at this port, instead of taking two months, made a correct inspection of the office in three hours, and in three hours more inspected the out-door department.

I merely state the facts without thinking it necessary to go into all the details; the facts alone are sufficient to establish what, in my mind, appears a close analogy to the Poor Law system, which many people think will by and by work well by itself. I conscientiously believe it never will, and that the attempt to make it do so will be productive of the worst consequences. I record my opinions with a hearty wish that you may never have occasion to regret a departure from the principles upon which they are founded.

Believe me, &c.

H. LEACH, *Chairman of Haverfordwest Union.*

R. D. Neave, *Esq.,*

Assistant Poor Law Commissioner.

APPENDIX (C.)

A STATEMENT of the Number and Description of Orders issued by the Poor Law Commissioners during the Year ended 30th April, 1839.

Subject of Order, &c.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	Totals.
ACCOUNTS:—													
Order prescribing the mode of keeping . . . . .	..	..	..	..	1	1	..	1	..	..	..	9	19
Order postponing the time limited for auditing . . . . .	..	..	..	..	..	3	..	..	..	..	..	..	3
ASSISTANT OVERSEER:—													
Order directing the appointment of	3	13	20	8	16	20	47	9	8	2	3	3	152
Order extending time for appointment of . . . . .	..	..	..	1	1	1	..	2	2	1	..	..	8
Rescinding order directing appointment of	1	2	4	..	..	1	1	..	1	..	..	..	10
Rescinding a direction in the order requiring that the person appointed should nor follow any other occupation. . . . .	..	..	..	1	..	..	..	..	..	..	..	..	1
Rescinding ditto requiring that the person appointed should reside in one of the parishes of the Union . . . . .	..	..	..	..	1	..	..	..	..	..	..	..	1
Altering amount of remuneration . . . . .	..	..	..	..	..	..	..	..	..	..	..	1	1
AVERAGES:—													
Declaration of	1	1	1	..	..	..	1	1	1	..	..	..	6
Order amending declaration of	1	..	1	..	..	..	..	..	..	..	..	..	2
Declaration of new averages. . . . .	..	2	7	1	1	1	5	7	..	..	..	..	24
AUDITOR, District:—													
Directing appointment of	6	..	1	..	..	..	..	1	..	..	..	..	8
Amending ditto.	1	..	..	..	..	..	..	..	..	1	..	..	2
Postponing appointment of . . . . .	..	..	..	2	..	..	..	..	..	..	..	..	2
CHAPLAIN:—													
Directing appointment of . . . . .	..	..	..	2	..	..	1	..	..	..	..	..	3
COLLECTOR —													
Directing appointment of . . . . .	..	5	4	5	1	..	1	1	..	1	..	1	19
Amending order to appoint	1	..	..	..	..	..	..	..	..	..	..	..	1
Suspending appointment of . . . . .	..	..	..	..	..	..	..	..	..	1	..	..	1
Extending time for appointment of . . . . .	..	..	..	..	1	1	..	..	..	..	..	..	2
Altering poundage to be paid to. . . . .	..	..	..	..	..	..	..	1	..	..	..	..	1
Altering mode of remuneration of . . . . .	..	..	1	..	..	..	..	..	..	..	..	..	1
Prohibiting other persons than collectors from collecting rates . . . . .	..	..	..	1	..	..	..	..	..	..	..	..	1
CLERK:—													
Directing the addition to salary of . . . . .	..	..	..	..	..	..	..	..	..	1	..	..	1
Directing the appointment of assistants to . . . . .	..	1	..	..	..	..	1	..	..	..	..	..	2
DIETARY:—													
Order prescribing	5	8	11	4	2	3	..	2	1	..	2	2	40
Order altering	17	9	8	7	1	6	5	13	5	6	4	6	87
Order suspending order respecting . . . . .	..	..	..	..	..	..	..	..	..	1	..	..	1
EMIGRATION:—													
Order authorising Loan	7	3	1	1	2	..	1	..	1	2	2	5	25
Order authorising Rate	11	1	2	1	3	3	5	3	6	2	4	17	58
Rescinding former order . . . . .	..	..	..	..	..	..	..	1	..	..	..	..	1
Authorising a loan instead of a rate . . . . .	..	1	..	..	..	..	..	..	..	..	..	..	1
Authorising payment of expenses out of sale produce . . . . .	..	..	..	..	..	..	..	..	..	..	..	1	1
GUARDIANS:—													
Order directing election of	67	17	19	17	8	15	15	4	3	..	12	58	235
Amending ditto . . . . .	..	1	..	..	..	..	..	..	..	..	..	..	1
Rescinding ditto . . . . .	..	..	..	..	2	..	..	..	..	..	..	2	4
Directing election of an additional guardian . . . . .	..	..	..	..	..	..	..	..	..	..	1	..	1
Extending time limited for election of . . . . .	..	..	..	..	..	1	..	..	..	..	2	..	3
Allowing expenses incurred in election of . . . . .	..	..	1	..	..	..	..	..	..	..	..	..	1
Directing new mode of conducting election of . . . . .	..	..	..	..	..	..	..	..	..	34	16	..	50
Altering qualification of . . . . .	..	..	..	..	..	..	..	..	..	1	1	..	2

A STATEMENT of the Number and Description of Orders issued by the Poor Law Commissioners during the Year ended 30th April, 1839—continued.

Subject of Order, &c.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	Totals.
GUARDIANS, continued—													
Directing the election of a second vice-chairman	6	2	..	..	..	..	..	..	..	..	..	7	15
Altering hour of meeting	..	..	..	1	..	..	..	..	..	..	..	..	1
Altering day of meeting	7	4	1	1	1	2	1	2	4	3	2	1	29
Altering place of meeting	1	..	..	..	..	..	..	..	..	..	..	..	1
Altering period between meetings	8	..	2	1	..	..	2	..	1	1	2	1	18
Regulations for the guidance of	..	8	4	..	..	4	3	..	1	..	..	..	20
PARISH PROPERTY:—													
Authorising sale of	37	83	70	52	40	63	48	41	55	50	38	43	620
Directing meeting to be convened to consent to sale of	94	42	83	60	17	63	45	47	30	51	51	62	645
Extending time limited for sale of	2	..	..	..	..	..	..	..	2	2	2	..	2
Authorising the letting of	..	..	..	1	..	2	..	..	2	2	2	1	10
Directing meeting to be convened to consent to letting of	..	..	1	..	..	2	..	..	1	2	2	1	9
Authorising exchange of	..	..	..	..	..	..	..	..	1	..	..	..	1
Directing appropriation of sale produce	69	35	41	36	26	23	17	26	33	36	35	33	410
Amending ditto	..	1	..	..	..	..	1	..	..	..	..	..	1
Rescinding ditto	..	..	..	..	..	1	1	..	..	..	..	..	2
Appropriation of ditto in liquidation of debts under 1 and 2 Vict.	..	..	..	..	1	9	14	12	27	17	16	13	109
Authorising appropriation of, to be used as a school, vestry, &c.	..	..	..	..	1	..	..	..	..	..	..	..	1
PAROCHIAL ASSESSMENTS:—													
Authorising valuation	105	62	41	21	16	34	33	41	26	23	18	25	445
Ditto valuation and plan	..	1	..	..	..	..	..	..	..	..	..	..	1
Ditto valuation and survey	63	46	12	15	8	8	19	14	6	9	16	10	226
Ditto valuation, survey, and plan	44	25	21	18	24	18	22	19	7	9	14	11	232
Ditto plan and survey	..	..	..	..	..	..	..	1	..	..	..	1	2
Ditto plan in addition to a valuation	3	3	..	..	..	..	2	4	..	3	2	..	17
Ditto survey in addition to a valuation	..	1	..	..	..	..	1	..	..	2	5	1	10
Ditto plan and survey in addition to valuation	1	4	1	..	..	1	1	1	..	1	1	..	11
Amending order for survey and valuation	3	..	..	..	..	..	1	..	1	..	..	..	5
Rescinding order for survey and valuation	1	..	..	..	..	..	..	..	..	..	..	..	1
Rescinding part of order directing plan	1	..	..	..	..	..	1	2	1	..	..	..	5
Rescinding part of order directing survey	1	..	..	..	..	..	..	..	..	..	..	..	1
Rescinding part of order directing survey and plan	..	3	..	..	..	..	..	..	..	..	..	..	3
Directing alteration in scale of plan	..	1	..	1	1	..	..	..	..	..	..	..	3
Authorising additional expenses for survey, plan, and valuation	..	7	1	1	1	..	1	..	..	..	..	..	11
Directing appointment of overseer to assist in making valuation	19	11	5	1	5	..	..	3	..	3	1	2	50
Rescinding ditto	1	..	..	..	..	..	..	..	..	..	..	..	1
POOR-RATE RETURNS:—													
Peremptory order for	..	..	1	2	..	..	..	..	..	..	..	..	3
RELIEF, OUT-DOOR:—													
Prohibition of, to able-bodied and non-resident paupers	5	24	..	16	12	5	15	3	5	9	9	49	152
Suspending ditto	..	..	..	..	1	..	1	..	..	1	..	..	3
Rescinding suspension order	..	..	..	..	..	1	..	..	..	..	..	..	1
Rescinding ditto as to non-residents	..	..	..	..	..	1	..	..	..	..	..	..	1
Altering regulations for the guidance of guardians respecting	..	..	..	..	..	..	..	3	..	..	1	..	4
Suspending regulations for the guidance of guardians respecting	1	1	2	..	..	8	..	..	..	..	..	..	12
Authorising out-relief by way of loan	..	..	..	..	..	..	3	..	..	..	..	..	3
Prohibiting payment of cottage rents	..	..	..	..	11	..	..	..	..	..	..	..	11
Authorising hire of cottages	..	..	..	1	..	..	..	..	..	..	..	..	1
RELIEVING OFFICER:—													
Authorising addition to salary of	..	..	..	..	..	..	..	..	..	1	..	..	1
Rescinding ditto	..	..	..	1	..	1	..	..	..	..	..	..	2
UNION OFFICERS:—													
Dismissal of	3	4	7	..	8	8	3	7	6	6	2	8	62

A STATEMENT of the Number and Description of Orders issued by the Poor Law Commissioners during the Year ended 30th April, 1839—*continued.*

Subject of Order, &c.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	Totals.
UNION PROPERTY:—													
Authorising sale of	1	1	..	..	..	..	1	..	..	..	..	..	3
Authorising exchange of . . . . .	..	..	..	..	..	..	..	..	..	..	..	1	1
Adjustment of produce of sale	2	..	1	..	..	..	..	..	1	..	..	..	4
UNION:—													
Declaration of . . . . .	..	1	1	..	..	..	2	..	..	..	1	..	5
Amending ditto . . . . .	..	..	..	..	..	1	..	..	..	..	..	..	1
Revoking ditto . . . . .	..	..	..	..	..	..	..	..	..	..	1	..	1
Directing the separation of parishes from . . . . .	..	..	..	..	..	..	..	..	..	1	..	..	1
Directing the addition of parishes to	1	..	..	..	..	..	1	..	..	..	..	..	2
Directing payment of proportion of expenses to . . . . .	..	..	..	..	..	..	1	..	..	..	..	..	1
WORKHOUSE:—													
Authorising purchase and altering of	1	2	..	..	..	..	..	..	..	..	1	..	4
Ditto purchase of land and building	7	8	11	5	6	5	3	..	3	3	2	..	58
Ditto purchase of site of . . . . .	..	..	..	1	1	..	..	..	1	1	..	..	4
Ditto additional expenditure in purchasing site of . . . . .	..	..	..	..	..	1	..	..	..	..	..	..	1
Ditto purchase of additional land for . . . . .	..	2	1	1	..	2	1	..	..	..	..	..	7
Ditto hire of . . . . .	..	..	..	..	..	..	..	..	1	2	..	1	4
Ditto hire of land for use of . . . . .	..	1	..	..	..	..	..	..	1	2	..	..	2
Ditto the altering and enlarging of	2	6	2	2	..	3	..	1	4	2	5	2	28
Ditto the further altering of	2	..	..	..	..	..	1	..	4	2	..	..	3
Ditto completion of	4	9	4	5	5	8	7	5	15	5	6	5	78
Ditto additions to . . . . .	..	..	1	1	..	..	..	..	..	..	..	..	2
Ditto the extension of time limited for building . . . . .	..	..	..	..	1	..	..	..	..	..	..	..	1
Ditto rescinding order to build . . . . .	..	..	..	..	1	1	..	..	..	..	..	..	2
Ditto compensation for use of . . . . .	..	3	..	..	1	2	1	1	1	..	1	..	10
Altering amount of compensation . . . . .	..	..	..	..	..	..	..	1	1	1	..	..	3
Rescinding order for compensation . . . . .	..	..	..	..	..	..	..	1	..	..	..	..	1
Rules for government of	2	2	6	6	2	5	3	9	4	..	..	6	45
Altering rules as to re-admission of paupers . . . . .	..	..	..	..	..	..	..	2	3	1	6	1	13
Amending alteration of rule as to ditto . . . . .	..	..	..	..	..	..	1	..	..	..	..	..	1
Order for enfranchisement of site of . . . . .	..	1	2	..	1	..	..	..	..	..	..	..	4
Enabling the guardians to sign consent without being present at a board . . . . .	..	..	..	..	1	1	..	..	2	1	1	..	6
Totals	618	468	403	301	232	337	341	296	269	302	285	394	4246

